

Hawaiian Gazette.

VOL. XXXIX, NO. 33.

HONOLULU, H. T., FRIDAY, APRIL 22, 1904—SEMI-WEEKLY.

WHOLE No. 2583.

FLEEING RUSSIANS DROWN BY HUNDREDS IN THE YALU

Russia Threatens to Prey on Japan's Pacific Commerce—Japanese Spies Executed—Efforts to Keep Alexieff—Hatred of Americans and Englishmen.

(ASSOCIATED PRESS CABLEGRAMS.)

NEWCHWANG, April 22.—A messenger from the Yalu says that the Russians are fleeing across the river in overcrowded boats and that hundreds are drowning..

TO PREY ON PACIFIC COMMERCE.

ST. PETERSBURG, April 22.—The Admiralty intends outfitting fast ships to prey on Japanese commerce in the Pacific.

WANT TO KEEP ALEXIEFF.

ST. PETERSBURG, April 22.—Despite his relations with Skrydloff, pressure is being brought to bear to retain Alexieff as Viceroy.

SHOT JAPANESE AS SPIES.

HARBIN, April 22.—Two Japanese officers have been convicted as spies and shot.

JAPANESE SECRET SERVICE.

MUKDEN, April 22.—Spies in various disguises are hampering the Russians in Manchuria.

RUSSIANS TO ADVANCE.

PARIS, April 22.—It is reported that Gen. Kuropatkin has ordered an advance of the Russian forces in northeastern Korea.

A MUSCOVITE CANARD.

BERLIN, April 22.—There is much bitterness throughout Manchuria against Americans and British whose naval vessels it is claimed assisted the Japanese bombardments of Port Arthur under the Japanese flag.

AFTERNOON REPORT.

ST. PETERSBURG, April 21.—The Russian Government has issued \$15,000,000 currency against gold deposits in the treasury. It is estimated that the daily expense of the war to Russia will be \$750,000.

TOKIO, April 21.—Thousands of Japanese are applying at the army posts and War Office for permission to join the army and fight against Russia.

NEWCHWANG, April 21.—Viceroy Alexieff has established a strict censorship at Yinkow.

The foreign pilots here have received notice that if they assist Japanese ships they will be held subject to Russian martial law.

SEOUL, Korea, April 21.—Lieutenant McDonald and seventy privates of the Marine Guard stationed here to protect the American Legation have been ordered to Manila. The situation in Seoul is so quiet that there is no necessity for the guard to remain.

ST. PETERSBURG, April 20.—Admiral Alexieff has resigned the vice-royalty of Manchuria. The immediate cause of this act is the appointment of Admiral Skrydloff who is the late Viceroy's enemy, to command the Russian naval forces. It is also reported that Alexieff and Kuropatkin disagree about the conduct of the war. It has also been apparent lately that Alexieff was losing the confidence of the Emperor. The appointment of Skrydloff was made without consulting Alexieff, who recommended another. Alexieff will go to St. Petersburg before Skrydloff arrives at Port Arthur to avoid meeting him. Skrydloff told the Emperor he would not accept the naval command unless Alexieff was relieved as he attributed to his mistakes the reverses suffered by the Russians.



ALEXIEFF, THE RETIRING VICEROY.

PORT ARTHUR BATTLE RUMORED.

YINKOW, April 20.—It is reported that a battle is raging at Port Arthur.

RUSSIANS STRENGTHEN DEFENCES.

SEOUL, April 20. The Russians are hastily strengthening Chiutiencheng.

CHINESE ARE RESTIVE.

SHANGHAI, April 20.—General Ma reports that the Russians are moving west of the Liao river and that it is difficult to restrain the Chinese from attacking them.

AFTERNOON REPORT.

LIAOYANG, April 19.—Skirmishes are of daily occurrence along the Yalu river. Very few on either side have been killed.

ST. PETERSBURG, April 19.—Admiral Skrydloff, who has been selected to succeed the late Admiral Makaroff in command of the Port Arthur squadron, arrived here today. He was greeted with the greatest enthusiasm by the people.

VLADIVOSTOK, April 19.—This city is short of supplies and the inhabitants are leaving in anticipation of more serious conditions when the land campaign opens.

It is claimed that General Kuropatkin has 300,000 men mobilized in the Manchurian strongholds ready to meet the advance of the Japanese.

PARIS, April 21.—General Kuropatkin awaits 100,000 more men before risking battle.

JAPANESE TRANSPORT LIGHTS SEEN.

ST. PETERSBURG, April 21.—General Kuropatkin has telegraphed the Emperor that the Japanese are intrenching on the Yalu. The lights of Japanese transports have been seen opposite Potinsa, twelve miles west of Takushan. It is believed the second Japanese army is preparing to land. Ships have also been seen near Sou-chou.

RUSSIANS IN KOREA.

TOKIO, April 21.—It is reported that 1000 Russians occupy Yanggan, in northern Korea. Cossacks have burnt a Japanese settlement at Sungjin.

AFTERNOON REPORT.

PORT ARTHUR, April 20.—The reported sinking of a Japanese cruiser in a recent fight and the damaging of two others is reiterated.

NEWCHWANG, April 20.—War correspondents have been allowed to proceed from here to Mukden.

ST. PETERSBURG, April 20.—No action has been taken yet in the matter of the resignation of Admiral Alexieff. Admiral Skrydloff had a conference with the Emperor today.

HAWAIIAN MATTERS AS TREATED BY CONGRESSMEN

The Franchise Bills—McClellan's Work—Carter Bill May Not Pass—The Revenue Cutter. Withington and Smith.

(Mail Special to the Advertiser.)

WASHINGTON, D. C., April 9.—The program for Hawaiian legislation here is proceeding much better than many of those interested had hoped. Probably by the time this letter reaches Honolulu all the bills of pressing interest to the territory will be before the President for signature. That statement may prove optimistic but none the less signs all point that way now. The gas bill has passed the Senate and before many days Senator Foraker will apparently be able to pass the electric bill there. The House has granted a special rule for consideration of the franchise bills there and under that rule those bills will be probably called up and passed within a few days. There will be some differences to be adjusted in conference or otherwise but these should not be serious obstacles as matters of legislation generally are. Speaker Cannon was

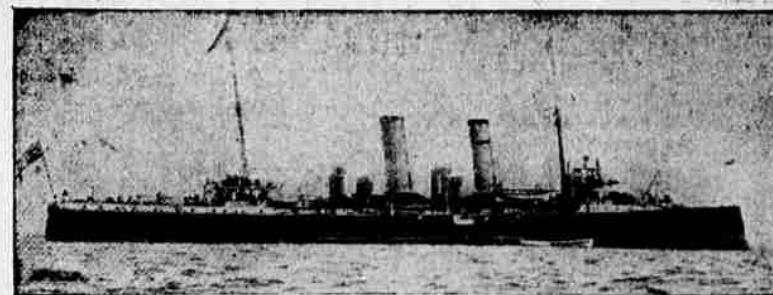
inclined to have the franchise bills called up during the suspension day of last Monday but friends of those bills were unwilling to risk as under suspension of the rules it requires a two-thirds majority to pass a measure. Hawaiian bills have failed too often in times gone by to make any of the Hawaiians or their representatives here desirous of repeating the experience.

The House during the past week has been considering the Philippine Shipping bill, which was passed yesterday, in the same form as it passed the Senate. Efforts to prolong the time, before it should go into effect were unavailing and the bill will become a law with July 1, 1905, as the date when it shall go into operation. This defers for one year the disadvantages to the Hawaiian sugar growers which the law will impose but that is regarded as far better than a law going into operation immediately.

(Continued on page 5.)

BRITISH CRUISER MAY BOMBARD BLUEFIELDS

KINGSTON, Jamaica, April 22.—The British cruiser Retribution will sail for Bluefields on Tuesday to demand the release of six turtle schooners and their crews held by the Nicaragua authorities and to collect damages. Should it be necessary the Retribution will bombard Bluefields.



BRITISH CRUISER RETRIBUTION.

The six turtle schooners which may furnish an international incident, belong to a famous fleet of staunch craft owned by the people of the cayman Islands. The Cayman Islands are British territory and are near Jamaica in the West Indies. Almost the sole commerce of the Cayman Islanders is that of handling turtles secured by the islanders on the Nicaraguan and Honduran coasts. They are the turtle fishers-in-chief of the world. The green turtle soup esteemed by the Aldermen of London and by the patrons of the best restaurants in all the cities of the United States is placed upon the tables through the energy and daring of the Cayman turtle catchers on those Central American coasts. The fishermen carry their catches in schooners to Jamaica and from that place they are exported by steamer to the principal cities of the world. In the past there have been many clashes between the Caymans and the soldiers of Honduras and Nicaragua as the governments of those countries object to the big profits the Caymans make on the turtles, and the latter can only be secured as they are basking in the sun along the beaches.



THE PETROPAVLOVSK TURNING TURTLE

PANEL AGAIN EXHAUSTED

Fifty More Men for Murder Trial.

(From Wednesday's Advertiser.)
Another exhaustion of panel took place in the attempt to obtain a jury for the trial of Man Chong, for the murder of Policeman Mahelona, after the return of the first special venire of twenty-six names. Judge De Bolt ordered another special venire to issue, returnable at 10 o'clock this morning, for fifty additional jurors.

PACIFIC HEIGHTS CASE.

Judge Robinson yesterday, at the trial of the injunction suit of Charles S. Desky vs. C. W. Booth, in which a reformation of mortgage of Pacific Heights is asked as well as the enjoining of the foreclosure by defendant, granted a continuance for the purpose of taking the deposition in San Francisco of R. D. Silliman, who drew the mortgage.

There was a warm argument. Before the continuance was granted, counsel for defendant offered to admit that W. A. Wall, surveyor, if called would testify as one of the affidavits maintained he would. After the continuance for Silliman's testimony was granted, the offer relating to Wall was withdrawn. Cathcart & Milverton and Jos. G. Pratt appeared for plaintiff; J. Alfred Magoon and J. Lightfoot for defendant. Counsel are now engaged in preparing interrogatories and cross-interrogatories, which are to be forwarded to San Francisco by the steamer China's mail next week. It will take at least four weeks to get the return of the deposition.

REMOVAL OF CHILD.

Judge De Bolt has modified the decree of divorce in the case of Harriet Moon Smith vs. Millard M. Smith, so as to permit the plaintiff to take the child, George M. Smith, from the Territory of Hawaii to the State of California. There were several postponements of the hearing until the final hearing was had yesterday. Henry E. Highton for plaintiff; Henry Hogan for defendant. Counsel for the father objected to the order of the court.

DISCONTINUANCES.

The suit of Bishop & Co. vs. H. W. Schmidt, W. R. Castle, Jr., and E. H. Paris for \$15,000 on a note has been discontinued.
Kahalewai vs. Tong Yau, suit for \$1000 damages for malicious prosecution, has been discontinued.

The suit for restitution of leased premises brought by Julia Colburn et al. against L. Ah Leong has been discontinued. The premises are situated at the mauka end corner of Punchbowl and Queen streets.

A. A. de Mattos vs. Hawaii Land Co. was dismissed by Judge Robinson for want of prosecution.

DREDGING CASE.

In the Pearl Harbor dredging case, Judge De Bolt has issued a commission, on the motion of plaintiff, to Edward Gray Stetson, San Francisco, to examine Lieut. W. H. Heuer of the U. S. Engineers, Lawrence Thompson, C.

A FAIR EXCHANGE.

Large sums of money are no doubt realized from simple speculation, but the great fortunes are derived from legitimate and honest business—where the goods furnished are worth the price they bring. Certain famous business men have accumulated their millions wholly in this way. Prompt and faithful in every contract or engagement they enjoy the confidence of the public and command a class of trade that is refused to unstable or tricky competitors. In the long run it does not pay to cheat or deceive others. A humbug may be advertised with a noise like the blowing of a thousand trumpets, but it is soon detected and exposed. The manufacturers of WAMPOLE'S PREPARATION have always acted on very different principles. Before offering it to the public they first made sure of its merits. Then, and then only, did its name appear in print. People were assured of what it would do, and found the statement truthful. To-day they believe in it as we all believe in the word of a tried and trusted friend. It is palatable as honey and contains all the nutritive and curative properties of Pure Cod Liver Oil, extracted by us from fresh cod livers, combined with the Compound Syrup of Hypophosphites and the Extracts of Malt and Wild Cherry. It aids digestion, drives impurities from the blood, and cures Anemia, Scrofula, Debility, Influenza, Throat and Lung Troubles, and Wasting Complaints. Dr. Louis W. Bishop says: "I take pleasure in saying I have found it a most efficient preparation, embodying all of the medicinal properties of a pure cod liver oil in a most palatable form." It is a scientific remedy and a food, with a delicious taste and flavor. The bottle contains a full course of treatment and is guaranteed to be dispensed in a pure and genuine form.

E., and W. R. Clark of Clark & Henery, plaintiffs. Counsel for the defendants, H. Hackfeld & Co., Ltd., and Castle & Cooke, Ltd., file a notice that they do not object to the order for a commission, also saying they will file no cross-interrogatories.

INSANE MAN'S ESTATE.

Father H. Valentin, guardian of Manuel Pederozo, an insane person, has filed an inventory showing cash in Bishop & Co.'s bank, \$800; land at Makiki, \$500; total value, \$1300.

GOVERNOR IS PRAISED

Governor Carter went to Waihalua with Mrs. Carter after the adjournment of the Legislature, for a holiday in observance of the anniversary of their marriage. In the course of the day the Governor was the recipient of several congratulatory letters over the Legislature and the Republican convention.

HIS PATRIOTIC ATTITUDE.

One writer expressed himself as follows:

"I congratulate you heartily on the success of both the Legislature and the convention. Both were splendid demonstrations of the capacity of our people for self-government. The Quinn resolution was a deserving tribute to your patriotic attitude in public and party affairs."

ENHANCED REGARD.

Another correspondent puts his congratulations in categorical form, thus: "Permit me to extend to you my congratulations upon the following grounds:

"1. Upon the handsome vote received by you in the Republican convention last night as delegate to the Republican National Convention.

"2. And, more important, upon the able manner in which you handled the extra session of the Legislature of the Territory, and upon the carrying out by the Legislature of your wishes.

"My congratulations on this last score should be the more welcome to you by reason of the fact that I was very much in doubt as to your wisdom in calling the Legislature together.

"Permit me in conclusion to say that I now know you to be a better man than I believed a short while ago, which is saying a great deal."

FAIR EXCHANGE.

A New Back for an Old One. How It is Done in Honolulu.

Sometimes the back aches with a dull, indescribable feeling, making you weary and restless; sometimes pain shoots across the region of the kidneys, and again the loins are so lame to stoop is agony. No use plastering or rubbing the back in this condition. You cannot reach the cause. To exchange a bad back for a new and stronger one, follow the example of this Honolulu citizen:

Mr. A. J. Cahill, of Fort Street, this city, night watchman in the employ of Messrs. T. H. Davies & Co., Ltd., says: "Whilst a young man I was a sailor and at one time worked for the Inter Island service. I was, however, obliged to give up sea life on account of severe suffering from my back and kidneys. For this I had tried various remedies, but the one which restored me to health was Doan's Backache Kidney Pills—procured at Hollister's Drug Store. They relieved me completely after years of suffering. If any one desires further particulars he may apply to me. I am to be found at Van Dorn's Ship Chandlery, Fort Street."

You should get the same medicine which helped Mr. Cahill. See that the full name DOAN'S BACKACHE KIDNEY PILLS is on the wrapper and refuse any imitation. Doan's Backache Kidney Pills are sold by all chemists and storekeepers at 50 cents per box, six boxes \$2.50, or will be mailed on receipt of price by the Hollister Drug Co., Honolulu, wholesale agents for the Hawaiian Islands.

PHYSICIANS USE CARRIER PIGEONS.

Country physicians in many instances have adopted the use of pigeons as messengers. A physician raises a loft of carriers, and when he visits a patient four or five miles away he carries with him a basket containing one of his birds. If dangerous symptoms arise in the night or the following day the pigeon is released with a message. Some physicians with long country routes carry half a dozen or more of these pigeons on their rounds and leave one at each place. A daily report of the different cases can thus be obtained by pigeon service. This service has also been extended on large Western farms. Some farmers receive daily reports of the markets from the city in this way when there are no telephone or telegraph wires to send the messages. All that is required is a trip to the city once a fortnight to carry back the birds and send one in the city to write the reports and release the pigeons.

THE SCRATCH OF A PEN may cause the loss of a limb or even death when those poisoning results from the injury. All danger of this may be avoided, however, by promptly applying Chamberlain's Pain Balm. It is an enthralling and unexcelled as a quick healing balm for cuts, bruises and burns. For sale by all druggists. Beware of cheap imitations. Agents for Hawaii.

LEGISLATURE CLOSES ITS SPECIAL SESSION

Governor Carter Signs All Bills and Resolutions Placed in His Hands—Congratulations and Cheers.

(From Wednesday's Advertiser.)

Yesterday's session of the Senate was compared to an Egyptian labyrinth, there were so many recesses in it. An object lesson against hasty legislation was found at about the 59th minute of the closing hour of the Legislature. This was an error in designating a section of a law being amended, as the bill for that purpose came from the House, which if it had not been detected by the eagle eye of Senator Dickey would have made "ducks and drakes" of that particular enactment. Mutual congratulations passed between both chambers and between them and the executive over the successful completion, upon the twelfth day, of the business for which the special session was called. This exceeded most promises on the part of legislators who favored the call and agreeably disappointed the forebodings of many citizens. The Senate went out amidst the aroma of verbal bouquets, the House with vociferative cheers as well as rhetorical fiesta. Like the House, the Senate left a goodly unexpended balance of its expense appropriation.

Within the twelve days the Legislature passed fourteen bills which are now law, two joint resolutions and one concurrent resolution. As every measure passed through the hands of committees in both houses, some more than once, the record is very creditable.

THE SENATE.

After meeting at 9 o'clock yesterday morning, the Senate found nothing before it and took a recess till 10 o'clock.

MESSAGES.

On resuming a letter from Secretary Atkinson was received, stating that the Governor had signed Act 9, amending Sec. 6 of Act 42, Laws of 1903, and Act 10, repealing Chap. 19, P. G. Laws.

The House by letter reported it had

sustained the Governor's veto of House resolution No. 1, and passed the following resolution No. 3:

"Whereas, The Legislature of the Territory of Hawaii has been convened in special session to consider the serious financial condition of the Government; and,

"Whereas, the people of the Territory have expressed themselves in favor of county government; therefore,

"Be It Resolved, That a commission

REPUBLICAN DELEGATES WILL LEAVE HERE ON MAY 31

Hawaii's Republican delegation to the National Republican convention, to be held in Chicago on June 21, will leave Honolulu for San Francisco on the Oceanic steamship Ventura on May 31. This much of the journey has already been decided on, although Governor Carter has intimated that he may be compelled to leave prior to that date to attend to business in Washington before the convention assembles.

Secretary Hoogs of the Territorial Central Committee hopes to keep the delegation together that it may go in a body to Chicago. Mr. Hoogs looks upon the journey of the delegates in a body as a means of indirectly advertising the Islands. Mr. Breckons has intimated also that he may leave ahead of time, but if popular sentiment obtains the delegation will keep together. The Californian delegation will probably go in a body, and Mr. Hoogs sees no reason why the Hawaii delegates cannot do the same.

Should his plan be followed the car in which the members travel will be decorated with a streamer announcing that the Hawaiians are on the train, and there will probably be a large quantity of advertising matter on the car for distribution along the line.

Railroad officials have already been written to asking them to pave the way with reduced rates, etc., for the delegation.

Governor Carter will shortly call a meeting of the delegates to arrange plans for the coming trip.

It is reported that of the alternates Rev. Stephen L. Desha may not accompany the party to Chicago.

LOCAL DEMOCRATS MAY NOT INSTRUCT THEIR DELEGATES

In spite of the cable news from New York that the New York State convention of the Democrats pledged itself to Judge Parker for the Presidency, local Democrats may not instruct their delegates to the St. Louis convention either for Parker, Hearst or any one else. In all probability the delegation will go uninstructed so that it may be free to act in case a "dark horse" comes into view.

Col. C. J. McCarthy, former chairman of the Democratic Central Committee, when asked yesterday concerning his views on the New York pledge, said:

"I am and have been a Parker man, but I do not believe it would be wise for the delegation from Hawaii to be instructed to vote for Parker. There is no telling just which way the cat will jump, as, after all, Parker and Hearst may be consigned to the background. Should our delegation be instructed for Parker and policy should dictate the nomination of an outsider, our delegation would be in a hole.

"From all that I know of the New York convention, the up-country delegations were probably instructed for Parker, but the real voting is done down in lower New York, where Tammany would have most of the say.

"I am not a candidate for delegate, as I cannot afford to leave my business to go to St. Louis."

Senator Palmer Woods, the "lone Democrat" of Hawaii, said yesterday that he would prefer the Hawaiian delegation go to St. Louis uninstructed, leaving it free to act in case an outsider should be more favorably considered than Parker or Hearst.

The Democratic convention date has not been set. The rules have been prepared by a committee and are now being typewritten. Chairman F. J. Farrell may shortly test the call for the convention. It is understood that former Chief Justice William H. Bishop, who is a member of the Hawaiian delegation, will be fully instructed as to the views of the delegates.

of five be appointed by the Governor to draft a County Act, the members thereof to serve without pay. And that such Act so prepared and such expenses as may be incurred by them, with the approval of the Governor, be submitted to the next regular session of the Legislature."

Mr. Dickey moved that the resolution pass.

Mr. Paris did not believe in leaving the expenses open. Neither did he believe in having the members serve without pay. It was a serious piece of work and the Commissioners should be paid. He believed in putting a limit on the expenses as the Senate resolution did.

Mr. McCandless moved to defer action.

Mr. Achi moved to insert an amendment, "if paid at all, not to exceed \$1,500, and expenses not more than \$1,000."

Mr. Paris said if they went on amending they would get all tangled up.

The matter was deferred.

A message from the House intimated its concurrence in the Senate amendments to House bill No. 6.

Then another recess of ten minutes was taken.

COUNTY RESOLUTION.

The Senate took up House resolution No. 3.

Mr. Paris moved the resolution pass.

Mr. Dickey moved to insert the amendment, "two to be nominated by the Senate and two by the House."

Mr. Paris said the Governor preferred that the houses nominate the Commissioners. He had asked the Governor about it that morning.

Mr. Paris—"I do not believe in that. The Organic Act puts the responsibility on the Governor, and let him not shirk it."

Mr. Brown, speaking in Hawaiian, agreed with the previous speaker.

There was no second to the amendment, and the resolution passed on the following vote:

Ayes—Achi, J. T. Brown, Crabbe, Dickey, Kalua, Kalaokalani, McCandless, Nakapahu, Paris, Wilcox, Woods—11.

THE LAST THROES.

President Crabbe—"I believe that is all the business before the Senate."

Mr. Dickey moved that the House be notified that the Senate is ready to adjourn sine die.

At this point Vice Speaker Knudsen, Mr. Fernandez and Mr. Long came in and, being given audience, announced themselves as a special committee of the House of Representatives to announce that the House was ready to adjourn, and to request the Senate to appoint a corresponding committee with them to inform the Governor that the Legislature in special session was ready to adjourn.

This was evidently too sudden, for the Senate took another recess.

HOUSE WAS PREVIOUS.

A communication was received from the House at 11:05, which indicated that it had not been quite ready to adjourn when it had said it was. The letter intimated that the House had receded from its action on Senate bill No. 13, to amend Act 49, Laws of 1898. In another letter it told of new amendments it had passed to the bill.

Mr. Dickey pointed out a mistake in the amendment, as it referred to the wrong section.

Another recess was taken and President Crabbe asked somebody to telephone steamer companies to hold the Kinai and the Mauna Loa for the Maui and Hawaii members half an hour.

Vice President Paris in the chair, a corrected message was received from the House, whereupon by the votes of the ten members now present Senate bill 13 as amended by the House passed. The title is amended and Sec. 3 made to read as follows:

"No money shall be obtained on such account or accounts except by draft of the Treasurer, countersigned by the Auditor and approved by the Governor."

HILLO PARK RESOLUTION.

The Hillo park joint resolution, laid on the table Monday, was taken up. Mr. Dickey moved, seconded by Mr. Wilcox, that action on the resolution be deferred until next regular session.

President Crabbe resumed the chair. The resolution was declared carried on a show of hands. Mr. Achi having secured an amendment making it a concurrent instead of a joint resolution. So the park's name was voted to be "Moohau," after Admiral Geo. C. Beekley of Wilder's fleet.

Mr. McCandless insisted on his amendment to call the park after Senator J. T. Brown, which was put and lost, Mr. Achi raising a laugh by protesting the vote of Mr. Brown because he was interested in the question.

THE SENATE ACCOUNTS.

Mr. Paris presented the following report of the Committee on Accounts, signed by himself and Mr. Kaoli, Chairman Isenberg, being absent on leave, which was adopted:

"Your Committee on Accounts beg leave to report that the expenses of the special session have been as follows:

Compensation of members.....\$3,000.00
Mileage.....218.20
Salaries of officers.....246.50
Typewriting, printing, etc.....165.25

\$3,629.95

leaving a balance of our appropriation of \$4,375.55.

"Out of this amount there will have to be paid the expense of printing the Journal and the extra days allowed the clerk."

NOTIFICATION COMMITTEE.

The president named Messrs. Paris, McCandless and Kalaokalani as the committee to call the House committee in notifying the Governor that the Legislature was ready to adjourn.

SENATE RESOLUTIONS.
A. A. de Mattos, Secretary of the Hawaiian Republic, has been appointed as the representative of the Hawaiian Republic at the National Republican convention in Chicago.

NEW TRIAL IS ORDERED

Judge Little Reversed by Supreme Court Majority.

(From Wednesday's Advertiser.)

Plaintiff's exceptions to Judge Little's judgment for defendant in the suit of T. K. Lalakea vs. the Hilo Sugar Co., Ltd., are sustained by Chief Justice Frear and Justice Perry, the latter writing the court's opinion. The judgment is set aside and a new trial ordered. Justice Galbraith dissents in an opinion at length. Smith & Parsons for plaintiff; Wise & Ross for defendant.

The trouble started with a mortgage of cane growing on a three-acre tract, executed by Sing Kee and Chan Choon to W. D. Schmidt to secure payment of a note of \$450. Nearly four months later Chan Choon, who had bought out Sing Kee, gave Lalakea a mortgage on his interest in the land and on the growing cane as security for a note for \$300. About ten months later still Chan Choon abandoned the premises and left the Territory and has not been heard of since by the lessors. Six months' rent had then become due and unpaid. Kapu, owner of the land, took possession of the premises the following month, claiming a forfeiture of the lease, and the same month executed a lease to the plaintiff of the same land for five years from the first of the next month. Lalakea also claimed to have entered and taken possession under his mortgage. Schmidt without entering foreclosed his mortgage by publication of notice and the Hilo Sugar Co. claimed to have bought the cane at the sale under this foreclosure.

The present action is for the value of the cane so taken by the defendant. Judge Little's judgment for the defendant, the Hilo Sugar Co., was based wholly upon the view that the Schmidt mortgage and the foreclosure proceedings thereunder were valid and that the defendant acquired title to the cane not from the plaintiff but through the foreclosure sale.

The reasons why the Supreme Court decides that the judgment was not right are sufficiently well revealed in the following syllabus of opinion:

"An unrecorded chattel mortgage is not valid or binding to the detriment of third parties.

"The registry of a chattel mortgage not entitled to be recorded is a nullity. Actual knowledge of the existence of a chattel mortgage is not a substitute for recording.

"It is a prerequisite to the valid registry of a chattel mortgage that the acknowledging officer endorse on such mortgage a certificate of the fact of acknowledgment.

"A certificate that on a day named personally appeared before me Chan Choon and Sing Kee, known to me to be the persons described in, and who executed the foregoing instrument who executed the same freely and voluntarily and for the uses and purposes therein set forth, does not state the fact of acknowledgment and is for that reason insufficient and invalid."

"Testimony of the acknowledging officer to the effect that the parties did in fact acknowledge before him the execution of the instrument can not cure the defect and is inadmissible to aid the certificate and to support the validity of the registry and mortgage."

Justice Galbraith concludes his dissenting opinion in the following words:

"It certainly could not have been the intention of the legislature to declare an unrecorded mortgage void between the parties or as between the parties and others without interest in the property or between a first and second mortgage, the latter having notice of the first mortgage. The legislators are presumed to have known that the object of recording instruments is to give notice and that notice may be given aside from the record and that the notice given by one method is just as effective as the other and ought not to be held, in the absence of plain words to that effect, to have intended by this statute to make recording the exclusive method of giving notice of the existence of chattel mortgages. While the statute is not happily worded I am inclined to think that it was not intended to do more than is accomplished by most statutes providing for the registry of written instruments, namely, to provide that the interest of no one in property should be prejudiced by an unrecorded instrument of which he had no actual notice."

Russian Fleet Has Seldom Fought.

In the nature of things, Russia's present condition would subject her naval concerns to critical attention the world over. While her sea power was not brought to trial, it might pass for what it pretended to be not so when weighed in the balance of action and found wanting. A writer in a London journal points out that the Russian fleet has seen no fighting with an equal foe for two centuries past—not since the days of Peter the Great. Her naval officers up to recent years put in their service comfortably on shore, making only little trips about the coast, with an occasional voyage to the Far East, in order to qualify for the pension and steps in rank given for sea service. In spite of all efforts to revive something like a naval past, Russia can point to only two occasions in modern history when her ships were in action. One was the destruction of the Turkish squadron at Sinio, when the number of Russian ships was small, though the latter were greatly inferior in size and equipment. The other occasion was in the Crimean war, when there was a battle and the Russian fleet was defeated. The Russian fleet is now in a state of decay and is not capable of doing more than to qualify for the pension and steps in rank given for sea service. In spite of all efforts to revive something like a naval past, Russia can point to only two occasions in modern history when her ships were in action. One was the destruction of the Turkish squadron at Sinio, when the number of Russian ships was small, though the latter were greatly inferior in size and equipment. The other occasion was in the Crimean war, when there was a battle and the Russian fleet was defeated. The Russian fleet is now in a state of decay and is not capable of doing more than to qualify for the pension and steps in rank given for sea service.

THE RUSSIAN DISASTER TOLD

Some Particulars of Makaroff's Loss.

ST. PETERSBURG, April 13.—It is rumored here that fighting off Port Arthur was resumed this afternoon, Admiral Prince Ukhomsky, acting commander of the Port Arthur fleet, being engaged with eighteen Japanese vessels. Admiral Molas was among those killed on the Petropavlovsk. At the moment of the explosion an aid shouted to the Grand Duke Cyril to jump into the sea. The aid was killed. The total Russian loss is estimated at 700.

LONDON, April 13.—The Times prints a dispatch dated "Off Port Arthur," and sent by wireless telegraph to Wei-hai-wei, which says: "The Japanese torpedo boats attacked Port Arthur early Wednesday morning. The fleet is now shelling the forts. The bombardment began at 9:45 o'clock in the morning."

In another dispatch the correspondent says: "At 4:30 this morning in the dim light and amid rain squalls I saw a squadron of war ships in line ahead steering a course similar to our own. It proved to be a Japanese squadron of six battle-ships, followed by the first-class cruiser squadron. The six ships were in line ahead, the third and fourth vessels being the Kasagi and Nissin, which were making their first appearance in the fleet. The Mitska was leading. They were shaping a course for Port Arthur. Forty miles distant from port the battle-ships drew out at full speed and the Kasagi and Nissin left the cruisers and joined the battle-ships, the other cruisers remaining behind. The interval between them was maintained by the destroyer division and a dispatch-boat. As we neared Port Arthur we found two first class and four second class cruisers already there. This squadron had covered the torpedo-boat attack, which was made in the small hours of the morning. The battle-ships now hoisted fighting flags and steamed in formation, the Mikasa leading and the new ships bringing up the rear to within six miles of Port Arthur's frowning promontory."

BATTERIES OPEN FIRE.

"At 10:30 o'clock the shore batteries opened fire, but the fire was only desultory and it seemed as though Admiral Togo was making a demonstration rather than a bombardment. Three times his fighting squadron circled around in front of the enemy's position, drawing a desultory fire, and at noon Togo withdrew the battle-ships to the south. It was inspiring to see how the powerful squadron of fighting machines maneuvered. The battle-ships went boldly in, while the less protected vessels maneuvered with them, conforming to their evolutions at a safer distance."

"Later, although I went closer to Port Arthur than I had ever been before, I saw no sign of any Russian ships. The shells which fell nearest to us exploded on impact with the water. The Japanese maneuvering was at eighteen knots an hour. As far as I could see they suffered no damage. The expenditure of ammunition was small. It was a magnificent force, the most powerful individual fleet, indeed, which ever sailed the Eastern seas. Including torpedo craft, there were forty Japanese vessels."

SAYS TORPEDOES STRUCK SHIP.

ROME, April 13.—A Checco correspondent of the Agenzia Libera telegraphs: This morning Admiral Makaroff made a sortie from Port Arthur with the whole squadron to attack the entire Japanese fleet, which was concealed at the back of Miaokoa islands. Seeing how he had been trapped Makaroff attempted to get back to Port Arthur, but the Japanese war ships being much speedier than the Russians, cut off the retreat and he was forced to fight a battle against enormous odds. The result of the engagement was disastrous to the Russians, who had all their ships damaged, while the battle-ship Petropavlovsk, while surrounded by torpedo-boats, was struck by no fewer than five torpedoes and blown up."

RUSSIA GETS THE NEWS.

ST. PETERSBURG, April 13.—Regarding the disaster at Port Arthur, a semi-official telegram was received this morning announcing that the Russian battle-ship Petropavlovsk had been sunk and that only four of the officers were

saved, among them being the Grand Duke Cyril, who was wounded. The dispatch also gave the information that Vice-Admiral Makaroff was killed and that the total loss of life was nearly 700. The first telegram received by Grand Duke Vladimir said briefly that Grand Duke Cyril had been wounded and the Petropavlovsk had been lost, without mentioning a fight.

It was further reported that a naval battle was progressing off Port Arthur, the result of which was unknown.

Vice-Admiral Makaroff ordered his whole squadron out of the harbor to meet the attack, and while preparing to draw up his line of battle in the outer roadstead the Petropavlovsk struck a mine on her starboard side amidships and immediately began to heel. Before the crew could flood the port compartments of the vessel in order to keep her on an even keel, she turned turtle and sank in a few minutes, carrying down almost the entire crew. Captain Njakovlov, the Grand Duke Cyril and two other officers were saved because they were standing on the upper bridge. The frightful loss of life among the officers and men was due to the fact that they were all at their stations ready for action.

The Petropavlovsk turned turtle in a manner similar to the British battleship Victoria, which was rammed by the Camperdown in 1892, and to the incident in the China-Japanese war when a Chinese war ship turned turtle, many of the crew remaining alive for several days hammering desperately on the up-turned hull.

OFFICIAL REPORTS.

The following official dispatch has been received here from Rear-Admiral Girkorovitch, the commandant at Port Arthur, addressed to the Emperor:

"PORT ARTHUR, April 13.—The Petropavlovsk struck a mine, which blew her up and she turned turtle. Our squadron was under Golden Hill. The Japanese squadron was approaching. Vice-Admiral Makaroff evidently was lost. Grand Duke Cyril was saved. He was slightly injured. Captain Jackovlev was saved, though severely injured, as were five officers and thirty-two men, all more or less injured. The enemy's fleet has disappeared. Rear-Admiral Prince Ukhomsky has assumed command of the fleet."

The following dispatch to the Czar has been received from Viceroy Alexieff:

MOUKDEN, April 13.—A telegram has just been received from Lieutenant-General Stoessel, commander of the military forces at Port Arthur. I regret to report to your majesty that the Pacific fleet has suffered an irreparable loss by the death of its brave and capable commander, who was lost, together with the Petropavlovsk."

Another dispatch, from Viceroy Alexieff to the Czar, says:

"According to reports from the commandant at Port Arthur, the battle-ships and cruisers went out to meet the enemy, but owing to the enemy receiving reinforcements, making his total strength thirty vessels, our squadron returned to the roadstead whereupon the Petropavlovsk touched a mine, resulting in her destruction. Grand Duke Cyril, who was on board, was saved. He was slightly injured. The whole squadron then re-entered port. The Japanese are now off Cape Liao Shan. No reports had been received from the acting commandant of the fleet up to the time this dispatch was sent."

EMPRESS SHEDS TEARS.

PARIS, April 14.—The Echo de Paris's St. Petersburg correspondent says that the Emperor, when reading the dispatch from Rear-Admiral Girkorovitch, commanding at Port Arthur, announcing the loss of the Petropavlovsk, turned pale. He was much moved, and did not speak for several minutes. Then he asked a lady in waiting to inform the Empress, who burst into tears.

The Emperor ordered the news made public immediately and commanded the commission of censorship to communicate the dispatch to the newspaper correspondents. He next sent for his confessor to celebrate a requiem. His majesty said:

"God has willed that the Yenesei should perish by touching a mine, and that the Boyarin should be damaged. Now, providence, whose designs are inscrutable, has willed also to deprive us of the Petropavlovsk and the brave men aboard her."

HEARTBREAKING, SAY THE RUSSIANS.

ST. PETERSBURG, April 13.—The awful disaster to the battle-ship Petropavlovsk at Port Arthur, with the loss of almost her entire crew of over 600 men and the death of Vice-Admiral Makaroff, has been a terrible blow. It would have fallen less heavily if the ship and the commander in chief of the fleet had been lost in battle, but to be the result of another accident, following upon the heels of a succession of tragedies of which the Port Arthur fleet has been the victim, has created something like consternation.

"Reverses we can endure," said a prominent Russian, "but to have the Petropavlovsk meet the fate of the Yenesei and the Boyarin is heart-breaking."

Besides, it has just become known that the battle-ship Poliava, several weeks ago, had a hole rammed in her by the battle-ship Sevastopol while the latter was maneuvering in the harbor of Port Arthur.

The day has been one of intense excitement in St. Petersburg. The first inkling of the catastrophe leaked out on the receipt of a telegram by Grand Duke Vladimir from his son, Grand Duke Boris, announcing the loss of the Petropavlovsk and the wounding of Grand Duke Cyril, who was first officer. Grand Duchess Vladimir was almost frantic on the receipt of the telegram, being convinced that the message was only a precursor of worse news, as it was signed by Grand Duke Boris, instead of by the aid to Grand Duke Cyril, Lieutenant Vonkurbe. Lieutenant Vonkurbe had come down with the ship. The youngest son of Grand Duke Vladimir, Grand Duke Andrew, hurried to the Winter Palace, the Admiralty and elsewhere seeking confirmation of the news, which came two hours later in a message to the Czar from Rear-Admiral Girkorovitch, the commandant at Port Arthur.

A religious service was immediately held at the Winter Palace. (Continued on page 3)

MEMORIAL SERVICE FOR THE LATE PAUL ISENBERG



THE LATE PAUL ISENBERG.

The Garden Island of Lihue, Kauai, publishes a very complete account of the ceremonies attending the unveiling of the Isenberg memorial. The Kapala band played a number of beautiful selections, showing great improvement. The program as carried out was as follows:

- KAPAIA BAND.
1. Selection.....Coney's Orchestra
 2. Solo.....Mr. Vaughan
 3. Piano Solo.....Miss Mabel Wilcox
 4. Solo.....Mr. Paul Isenberg
 5. Selection.....Maser's Glee Club
 6. Solo.....Mrs. W. H. Rice
 7. Mr. Isenberg and Orchestra
 8. Solo.....Mr. Paul Isenberg
 9. Quartette.....Maser's Glee Club
 10. Solo.....Mr. De Lacey
 11. Selection.....Orchestra

The Garden Island says: Everything was in order for the ceremony of unveiling by Thursday night. The plot of ground inside of the stone wall, topped by the neat iron fence, was decorated with flags suggestive, though not exhaustively so, of the various nationalities who had contributed to the fund. Four poles rose round the memorial stone to which was hung the curtain that was to fall at the proper moment. In front and to one side was a raised pulpit from which the speakers of the day were to address the surrounding multitude; this was draped with a German flag. The green background provided naturally by some hau bushes was made continuous to the left by a row of palm branches, and as seen from the post office the distant mountain range completed a very beautiful picture.

In spite of the gloomy anticipations of the previous evening, the day broke fair and clear, soft sunshine was over the scene. By 10 o'clock there was much coming and going of people about post office corner and by the hour appointed 11:30, there was a large assembly of spectators in holiday attire. Every point that gave a good view of the ceremony was seized, and every one wore an expectant look. Only a few people more immediately connected with the ceremony were within the inclosure making necessary preparations. Suddenly the attention of the multitude was attracted by a procession of Chinese led by Mr. Ah Chuck of Kapala bearing numerous gifts consisting of cakes piled pyramidally, fire crackers and last and certainly not least a finely cooked pig, laid on a board stung on a pole borne by two stalwart Chinese. No one could be other than moved by this singular and spontaneous gift. It was an evident token of the genuine regard our Oriental friends had for the late Mr. Isenberg and for the Isenberg family. The gifts were gracefully accepted by Mrs. Isenberg on behalf of her family, and a large number of friends having come within the inclosure, the ceremony began with the Kapala band playing "Deutschland, Deutschland, über alles."

Mr. A. S. Wilcox made a few touching remarks on his acquaintance with the deceased concluding as follows: One feature about it I appreciate more than anything else is that the poor people have contributed to it. If you look at the list of contributors, you will see there many people of moderate means and many of those who gave their quarters and half dollars who could not well afford to be without them. That can tell in what earnest they were. It was simply re-enacting the old Bible story of the widow and her mite. The impressions he made on the hearts of those who knew him are true monuments, but this will tell to our successors the story we know so well today. Now that he is gone and that we cannot have him back with us, we have to bow in resignation to the great father; we should continue to love him for his many noble and Christian traits and in his memory we shall ever be ready to pay a tribute to his noble record of honor and justice and manhood.

Mr. Maser's Glee men then sang a beautiful song at quiet endeavor after right and duty. Mr. Paul Isenberg said: Ladies and gentlemen, in the name of my dear good father's friends, in the name of the citizens of this beautiful Garden Island I will now unveil the monument. The cords upholding the screen were then severed and the monument was now seen in its completed form. In the upper portion of the huge rock had been placed a bronze relief portrait bearing the inscription—"1837, April 15—Paul Isenberg. *16th January, 1903," and another oblong bronze lower down on the rock has the words "Erected in loving memory by his Kauai friends, April 15, 1904. The portrait is excellent the closer one examines it. Around the base were disposed a number of wreaths and bouquets.

Remarks were made also by J. F. Hackfeld, Mr. Webber, Judge Kahale and Paul Isenberg. Senator Isenberg said: I am proud that the honor was given me to appear before you today and to thank you in the name of the Isenberg family for what you have done. To me, my dear fellow citizens of this island, it seems that I can say the only words I know "Thank you," and not for myself only, but for my dear mother at home and for my dear brothers and sisters. If the truth was known amongst you, no words of appreciation could tell you the manna in our hearts for erecting this beautiful monument to my dear good father. It proves to me, fellow citizens, that these good words—I have often thought of it—should be the motto of Kauai, "Love and good fellowship."

I not only want to thank you, fellow citizens, for what you have done, but I also in the name of the Isenberg family want to thank those who have spoken such beautiful words today. I want to take this opportunity here of thanking the press; it is no more than right that I should here publicly thank them in the name of my mother, brothers and sisters for the beautiful remarks that they made when father passed away. And one thing more: never will I forget what was said to me, when the news came, by a friend, "My boy, there is only one thing I can say; your father was a good man." Fellow citizens, I hope and pray each of his sons will follow in his footsteps, and I hope and pray every young man living here will follow in his footsteps. Singing of Hawaii Pono and Star Spangled Banner by the Kapala band brought the ceremony to close.

Twenty pigs and four bullocks were used in the huan, besides an enormous quantity of fish, sweet potatoes and other supplies.

HAWAIIAN COMMERCIAL	
NETTED LAST YEAR \$668,648.88	
The report of the Hawaiian Commercial and Sugar Company was received in the mail last night. Following are the contents of pages 15 and 16:	
SUMMARY OF SUGAR ACCOUNT.	
For Crop of 1903.	
Gross earnings from 1903.....	\$6,111,111.11
Less taxes of Sugar.....	\$1,111,111.11
Gross Marketing Expenses.....	\$2,111,111.11
Division of Sugar:	
Hawaiian Com. & Sugar Co.....	\$1,111,111.11
Kohala Plantation Co.....	\$1,111,111.11
Maui Plantation Co.....	\$1,111,111.11
Waialeale Plantation Co.....	\$1,111,111.11
Total.....	\$4,444,444.44
Net Income.....	\$1,111,111.11

STATEMENT OF PROFIT AND LOSS ACCOUNT.	
For the Year 1903.	
CREDITS.	
Net returns from sale of Sugar as shown by the Summary of Sugar Account.....	\$1,901,297.54
Net Sundry Profits.....	154,093.44
\$2,055,390.98	
DEBITS.	
Cost of Crop as shown in statement of Operating Expenses.....	\$1,386,742.10
Net Profits for the year 1903.....	
\$ 668,648.88	

The above are the Net Profits after having written off \$199,010.23 for Depreciation, as per page 14 of this Report. The Profit otherwise would be \$668,648.88 plus \$199,010.23 equals \$867,659.11.

TRUSTEESHIP MAINTAINED

(From Thursday's Advertiser.)

Justice Perry writes the unanimous opinion of the Supreme Court in the contest of the validity of Henry Smith's incumbency as trustee of the estate of Robert William Holt, whose will was admitted to probate on July 26, 1862, the testator having died on the 6th of the same month in that year.

The nature of the case has been repeatedly set before readers of the Advertiser. After reviewing the facts and contentions pro and con in ten typewritten pages the court decides thus: Judge Gear's order, appointing C. A. Long administrator de bonis non, "is reversed and set aside and the cause is remanded to the Circuit Judge with directions to deny the petition of J. F. Colburn praying for such appointment."

C. W. Ashford for J. F. Colburn and C. A. Long; Holmes & Stanley for Bruce Cartwright; Hatch & Ballou for Henry Smith; Smith & Lewis and L. J. Warren for certain of the beneficiaries. The law of the case is as follows:

A was at the time of his death administrator with the will annexed of the estate of H. A petition for the appointment of B as "trustee" of the said estate "in the place and stead of" A, "lately deceased," and an order of court, made in reference to such petition, that B be appointed "trustee" of said estate, construed to be respectively a petition and an order for the appointment of B as administrator with the will annexed of the said estate, and letters of administration issued in pursuance of such order held to be valid.

The petitioners for such appointment, having appeared and submitted themselves to the jurisdiction of the court, and their successors in interest are bound by the proceedings had, even though it be assumed that there was no publication of notice to parties interested and that such publication was required by rule of court.

A resignation by B "as such trustee," and the acceptance thereof held, under the circumstances of this case, to be a resignation of his office as administrator with the will annexed, and the appointment of S "as trustee to succeed" B "in the trust under the will of" H "deceased," held to constitute S administrator with the will annexed of the said estate.

Another decision relative to the same matter dismisses a petition for a writ of prohibition brought by Cartwright and Smith against Judge Gear and Long, the dismissal being without prejudice and on account of the necessity for the writ becoming non-existent through the decision above reported.

CITY SANITATION DONE IN MARCH

Dr. J. S. B. Pratt, city sanitary officer, in his report for March tells of nine complaints of nuisances. Where they proved to exist they were abated. Inspector Nisher, district No. 4, arrested a Chinaman for committing a nuisance, who was fined \$3 and costs of court.

Twenty-nine recommendations for hotel, restaurant and lodging house licenses were made. The accommodations in these were for 1676 adults who might lawfully be lodged therein. Seventeen held-over licenses were issued, the capacity being for 2462 adults. Two are still held over from previous months and five from March.

Seventy inspections of graves were made. In Kawaiahaeo cemetery the edges of two coffins were exposed on account of the caving in of sand. In the digging of a grave in the Catholic cemetery on March 1 three bodies were dug up. The case was referred to the acting Attorney General for action.

Two burials in Waikiki cemetery were in 18 inches and two feet of water respectively, and one in the Catholic cemetery was in 18 inches of water.

Dr. Pratt was a witness at one coroner's inquest and with Dr. J. P. McDonald investigated a death at Manoa.

TWO JURORS YET NEEDED

Defense Has One Challenge Yet Coming.

(From Thursday's Advertiser.)

At the adjournment of court yesterday afternoon there were ten jurors passed for cause in the empanelling of a jury to try Man Chong for the murder of Policeman Mahelona. The panel of jurors was exhausted and another special venire, the fourth one issued, was in the hands of the High Sheriff, calling for twenty-five men and returnable at 10 o'clock this morning. One challenge remained for the defendant to exercise, the prosecution having exhausted all of its challenges.

It is unusual to have less than eleven men in the box when a panel has been exhausted, because a challenge cannot be exercised until there are twelve men sitting. In this instance, when the number had been reduced to eleven by a challenge of the defendant's, E. R. Bath, who had passed for cause, asked to be excused on account of pressure of business, a portion of which was a contract on the reformatory school. Judge De Bolt excused him but told him it would be the last time he would excuse him for that cause.

There are therefore two new jurors to be passed, without counting on the exercise of defendant's remaining challenge. The ten men in the box are J. Falk, Hicknell, Percy Lishman, C. J. Falk, Sam. E. Pierce, Henry Gehring, Jos. J. Dias, H. R. Macfarlane, Jr., John C. Lane, Levi K. Nakea, Jas. W. L. McGuire.

THE DREDGING SUIT.

H. Hackfeld & Co., Ltd., by their attorneys, Kinney, McClanahan & Cooper, and Castle & Cooke, Ltd., by their attorneys, Castle & Withington, yesterday filed admissions in the suit brought against them by Clark & Henery to recover the amount of a subsidy guaranteed them for dredging Pearl Harbor by Oahu Sugar Co. and Ewa Plantation Co., of which defendants are respectively the agents.

They admit that Lieut. Col. W. H. Heuer, Corps of Engineers, U. S. Army, being authorized by the U. S. War Department to arrange by contract for the dredging of the entrance into Pearl Harbor, advertised for proposals therefor in the manner shown in exhibits attached.

They further admit that the bid of Clark & Henery for such dredging was accepted, and that Clark & Henery on July 16, 1901, entered into the contract and performed the contract to the satisfaction and acceptance of the United States Government.

It is admitted that the channel was dredged, as a result of Clark & Henery's work under the contract, to a width of 200 feet and a depth of 30 feet, and that Clark & Henery were paid by the Government for the performance of their contract.

Defendants admit that Lawrence Thompson, civil engineer, was the inspector who inspected said channel and reported upon its condition after the completion of said dredging, and prepared a map or chart of the dredged channel which was deposited at the Naval Station in Honolulu, of which chart a blue print copy is attached as an exhibit to the admissions.

KONA COMPLICATIONS.

Henry Waterhouse Trust Co., Ltd., and Robert W. Shingle separately demur to the complaint of Robert L. Colburn against Clinton J. Hutchins and themselves. Castle & Withington are their attorneys. The ground of each demurrer is that the complaint is insufficient in law.

In the same matter a stipulation is filed by the attorneys mentioned above, C. W. Ashford for plaintiff and Cathcart & Milverton for Hutchins, so as to permit the defendant Henry Waterhouse Trust Company to pay to Kinney, McClanahan & Cooper \$1108.20, the damages and interest allowed to Wm. J. Bierce, Ltd., in its suit against Clinton J. Hutchins, trustee, for which execution has been ordered issued by the First Circuit Court. This stipulation is made without the waiving of any rights, Hutchins permitting the payment of judgment only in pursuance of the execution.

DEATH DAMAGES ASSET.

Judge De Bolt appointed C. K. Ai administrator of the estate of Chang Yee Tong, under bond of \$200. This is the value of the personal property, besides which the estate consists of a cause of action for the death of deceased by wrongful act of the Mutual Telephone Co. and the Honolulu Rapid Transit and Land Co. Chang Yee Tong was killed by a live wire in a mixup of electrical conductors on King street.

DIVORCE.

Judge De Bolt granted a divorce to G. M. Kaona against Rosalia Kahon on the ground of desertion. C. F. Peterson represented the libellant, who was also present in person. The deserting wife made no appearance, either personally or by counsel.

BURNS AND CUTS.—Slight injuries of this character are of frequent occurrence in almost every household. While they are not dangerous, except when blood poisoning results from the injury, they are often quite painful and annoying. They can be quickly healed by applying Chamberlain's Pain Balm. It allays the pain almost instantly and heals the injured parts without matter being formed, which insures a cure in one-third the time that the usual treatment would require. It is the most perfect preparation in use for burns, scalds, cuts, bruises and the injuries it should be applied with a feather, and before the parts become swollen if possible. For sale by All Druggists. Honolulu, Smith & Co., Ltd., Agents for Hawaii.

Hawaiian Gazette.

Entered at the Postoffice at Honolulu, H. T., Second-class Matter, SEMI-WEEKLY. ISSUED TUESDAYS AND FRIDAYS.

WALTER G. SMITH, Editor.

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FRIDAY : : : : : APRIL 22

ALTON B. PARKER.

Judge Alton B. Parker, whom the New York Democrats will support for the Presidential nomination of their party, is not a national figure except as he has been made one by talk about his candidacy. His name is measured, not by great services of State, but by standards of availability as a vote-getter. It happened, when he ran for the Supreme Bench of New York that Republicans did not vote very generally for his opponent and his majority was huge. By virtue of such a majority, received under somewhat similar circumstances, Grover Cleveland, hitherto a comparatively unknown man, became President—so why not Parker? There is nothing to distinguish the New York jurist from fifty others or perhaps 500 others, save the fact that his political opponents did not like the man he was running against well enough to come out and vote for him.

There was a time when the national Democracy insisted on men of records and ideas, men of known views upon public questions as their candidates for President. The old line Democratic Presidential standard-bearers were nearly all veteran publicists or distinguished soldiers. In the new line the names of Seymour, Tilden, McClellan and Hancock are illustrious; and Cleveland after his first term mounted to their plane, Bryan had done some constructive work when he came to the front and every one knew his platform. But what are Parker's views on any public question? Where does he stand as to finance? What are his opinions about the tariff? Is he an old school or a new school Democrat when it comes to Territorial expansion? People believe him to be conservative and doubtless he is. But conservatism may come from dullness or timidity. Is it so with Judge Parker? Who knows?

The one argument for Parker is that he is safe. But safety has various aspects. That fine ship is safe while anchored in the harbor but if it stays there always it will make nothing for its owners and eventually will rot away. The safest place for a locomotive is in the round-house, but the business of the great machine is to clatter along the track and haul traffic. A general is safer in camp than on the battlefield, but he is hired to fight. People who do things in this world must accept risks as Jackson did; not sit in cloisters intent on being "safe." Roosevelt has been a man of action all his life and what he has done for the country, which is much, he has done well and without the least regard to that conservatism which padlocks his lips for fear it may say something rash and manacles its legs lest it may wander from the trodden path. And that is why Roosevelt will be the next President if he lives.

RUSSIA'S CRISIS.

In the presence of the enemy and a victorious enemy at that, the Russians are changing their leaders in Manchuria. Alexieff has been forced to resign and a new man, possibly the half-exiled Dragimiroff, possibly the Czar himself, will come to take his place. Makaroff, who succeeded Starck is dead and Skrydloff is on his way to take command of the decimated fleet. Kuropatkin is already in the field making his new dispositions. Thus the men who have studied the Manchurian situation for years with the view of combating Japan disappear, and men who have the problem to unravel preside over Russia's fallen fortunes. In such an emergency a great genius is needed; but in ordinary commanders, past middle age, whose energy and vigilance the cankers of a long peace have impaired, what hope is there of finding a reincarnated Napoleon? Gloom, pessimism and confusion prevail in the Russian camps. What promise is there in the present changes of confidence and discipline?

Arizona and New Mexico have wanted Statehood for many years but they want it separately. There are too many aspirants for Statehood to be content with one State for both Territories. However, the House has bunched them together in a Statehood law and if the measure is finally enacted they will have to make the best of it. But what a row the job-chasers will make.

The virtuous look on the face of the Legislature ought to tempt that body to have a new photograph taken.

The Chamber of Commerce has about made up its mind to import some currier killing birds and let 'em loose in Palama.

Mr. Roosevelt has no cause to be dissatisfied with the course of the New York Democratic State convention.

Dr. Russell notes several drawbacks to the progress of Hawaii but forgets to mention the Home Rule party.

The British Budget Bureau will be disappointed to find that the Hawaiian Islands are not a source of revenue.

DELEGATION ADVERTISING.

Suggestions having been asked for about the manner in which the Hawaiian Republican delegation should advertise the Territory on its way to the Chicago convention, this paper would propose that if it makes a show of banners and music en route, it shall take pains not to make a show of itself. When the Californians go to a national convention they carry along a carload of fruits and wines and ride, perhaps, in a decorated coach, but as individuals they are careful to appear as American gentlemen. They do not show themselves en route or in the convention hall clad in miner or cowboy costume but are as correct in their attire and speech as are the delegates from New England. No doubt the Hawaiians would get much notice if they wore leis and they would get more if they pounded gourds; but the Nature Man could equal them at either game and a third-rate circus beat them out of sight.

We hope the Republican delegates will agree that they can advertise the Territory best by showing that its people, in their clothing, manners and civilization, are like other Americans.

CIVIL SERVICE REFORM.

The Springfield Republican complains that Admiral Walker objects to the appointment of inspecting engineers and other employees on the Panama canal by the Civil Service Commission and asks: "Why are civil service reform ideas not applicable to the isthmus?" We suppose that no one except an old school campaign manager opposes the system of appointment by merit which was inaugurated by the civil service reformers fifteen or more years ago. But very few practical men believe in taking from a bureau or office chief the right to discharge an employee at will. That is where the civil service laws work against discipline. The incompetent or disobedient official takes advantage of a situation which gives him the right of appeal from his chief; and the chief, unable to get rid of an undesirable man without stopping to unroll yards of red tape, finds his authority weakened in the meantime. Admiral Walker, coming from a service where one man power is all but supreme and knowing what results may be had from perfect discipline, is naturally opposed to giving the Civil Service Commission's employees a semi-independent status. Such a thing would never do aboard ship and it would go badly in any great enterprise.

There is a split among local Democrats on the question of Hearst. Palmer Woods is on one side of the question and Colonel McCarthy on the other and their friends are divided. Col. McCarthy's position is that Hawaii ought to go unincorporated to the convention so as to get in with the winning man, whoever he may be. Woods likes Hearst and wants to pledge the delegation for him. Speaking as a Republican newspaper, the Advertiser would like to see Hearst nominated against Roosevelt, but it anticipates that the general repudiation of the young candidate on the mainland will, in the end, incline the island democracy to go to the convention unpledged. Of course the spending of money here by Mr. Hearst might turn things his way, but that remains to be seen.

Japan is beginning to feel the war dearth of tourists and business agents. The mayors of seven principal cities have issued a circular saying that normal conditions prevail throughout the empire. They state that "ordinary means of communication by land and sea are not interrupted and cannot be. Japan and its territorial waters are not within the war zone and the position and advantages of our fleet and armies insure Japan against invasion."

Just as the Japanese try to attract tourists back to the cressanthemum paths, the Russians announce that fast cruisers will be sent to prey on Japanese commerce in the Pacific. As such cruisers could not get on without coal and repair ports, their chances of doing business in this ocean are very small. But the threat will scare off the tourists and thus constitute another Russian victory.

No doubt the Bishop Museum could safeguard its noxious importations of birds and reptiles under ordinary circumstances, but what if there should be a fire? When Barnum's Museum burned so many wild things got away that the upper part of New York was terrorized for a week. Such risks should not be taken here.

General Ma finds it difficult to restrain the Chinese from attacking the Russians. Perhaps if he lets his men try it once he will have less trouble with them hereafter. The Russians may not be a match for the Japanese but they are quite able to give the Chinese army and its Ma a bad quarter of an hour.

Writing up is not what Hawaii needs. It has had more of that since 1893 than any other resort within easy reach of the United States and there are at least twenty books about it in every great public library. Hawaii and publicity are twins. The one thing lacking in the scheme to bring tourists here is a low fare.

The Russians do not intend to let the war correspondence see any more than is good for them; so when events begin to loom up near New-Cheng and on the Lianung peninsula, they send the press writers to Mukden. If this policy is to be pursued, the correspondents may reach Siberia yet.

Walter Wellman writes that the Hawaiian Islands are a source of revenue to the British Budget Bureau. He forgets to mention the Home Rule party.

EFFECT OF THE BRUSSELS CONVENTION ON SUGAR.

The article on the sugar business in Jamaica, published herewith, sets forth the deplorable condition of this business in the smaller English colonies. They are practically barred out of the United States market by the high tariff, while in London, the only free market open to them, the price is so low that there is no margin of profit. They are further handicapped by low yields from old worn out fields; poor cultivation and out-of-date milling plants. The industry, which once made the Jamaica sugar planter the synonym of wealth, has been steadily running down for the last twenty years or so, until there is but little left of it. The planters have finally become disheartened and many estates have abandoned sugar production and are now raising bananas. The few remaining are following along the same road.

The Brussels convention has as yet brought Jamaica no relief. This is not to be wondered at.

The beet sugar business of Europe is such a gigantic one that it cannot be revolutionized in six months. Nearly two-thirds of the world's annual output is from the beet fields of Europe and it cannot be expected that this gigantic industry will completely readjust itself in one season.

The fact that a few months' experience under the Brussels convention has not produced all the prophesied results, is not a reason for charging that it has accomplished nothing.

The consumption of Europe is rapidly increasing by reason of the convention, and the output of beet sugar is decreasing by reason thereof.

When it is borne in mind that the surplus sugar in the world, which is sometimes referred to as "enormous," amounts after all to only a three months' supply, it does not take a very long continuance of decreased production and increased consumption to catch up with the surplus. When the surplus disappears the price must inevitably rise. A radical decrease in the surplus and consequent probable rise in price of sugar is still confidently expected by those posted in sugar matters. The change will not be immediate, but the factors to produce this result are steadily at work.

THE HOME RULERS.

The Home Rule party is slowly disintegrating and it is only a matter of time when its membership will disappear in the Republican and Democratic parties. When this result occurs, the Territory will be more American than it is now and in the way of becoming a harmonious factor in the general political equation of the United States. Organized to preserve Hawaiian traditions in public affairs, particularly monarchical ones, the Home Rule party was a hindrance to the development of the Territory along American lines. Defeat impaired its vigor and humbled its spirit and made things easier for those who, for four years, have tried to identify all native Hawaiians, for their own good, with the American parties.

Hawaiians do well to realize that the past is dead; that never again will Hawaii be ruled in the old way and for the old purposes. It is of course hard to forget what has gone before in government; but nothing is more unprofitable than to sit beside a political grave, trying to galvanize a buried policy into life as the Home Rulers have been doing since 1900. It has profited them nothing. Though their late leader went to Congress he was a cipher there and would have been one so long as he, politically speaking, held aloof from American politics. As a Republican or a Democrat he might have had some standing; as a Home Ruler he got none. He "flocked by himself" like Dendregary's blackbird and Congress easily forgot him and was glad to.

The hope of Hawaii is to become so fully identified with Americanism that it can look for Statehood with all which that implies in the way of appropriations and influence. A long step towards this goal will have been taken when the Home Rulers permit themselves to be reconstructed on the American plan.

The Bulletin, which prates about the "widespread sentiment" for county and municipal governments is yet unable to find ten representative Honolulu taxpayers, not connected with politics, who are in favor of those systems. It does not even produce five. Possibly the Bulletin needs more time and this paper is quite willing to wait. There is no hurry, seeing that the subject is not especially engaging to the people.

The Russians must be seen indeed when they try to make their pride with the almost story that American and British warships in disguise helped the Japanese to bombard Port Arthur. But this story is only a Russian device to lead to the fact that the Japanese are now in the hands of the British and the British are now in the hands of the Japanese.

BAND WILL GO FOR A TOUR

The Chamber of Commerce committee to which was referred the proposition of J. C. Cohen to take the Hawaiian band for a tour of the mainland, held a meeting yesterday and decided to make a favorable report to the trustees. Mr. Cohen asked for the moral support of the Chamber of Commerce in the enterprise and this will probably be given at a meeting of the trustees to be held when the committee has prepared its writing report. The plan now is to have the band accompany Governor Carter and the Republican delegation to Chicago, then to make a tour of the large eastern cities, after the close of the convention. A series of concerts will be given on the coast prior to starting for Chicago.

JAIL ADDITION WORK DELAYED

Work on the addition to the jail has been delayed by the failure of the iron work to arrive. The structural iron is not expected for several months and it will be six months or a year before the addition is completed.

High Sheriff Brown says that the jail is at present very much overcrowded. Although there are accommodations for only 240 prisoners, 314 are now confined there, and of these thirty are compelled to sleep outside in the workhouse, mattresses being furnished for the purpose. Two and three prisoners are kept in some of the cells, and since the reduced appropriation makes it necessary to cut the number

THOUGHT IT WAS THE THETIS

When the U. S. S. Supply was sighted off Koko Head yesterday morning it was thought that the long expected revenue cutter Thetis was outside. The custom house was informed that it was the cutter, and permission was obtained to dock her at the naval wharf. Collector Stackable also went out in the customs launch, but had not gone far when he discovered that a mistake had been made. The Thetis is now twelve days out from San Francisco and is expected daily.

Of guards from twenty-four to eighteen, there is even more necessity than ordinarily for additional prison room. The overcrowding of the prison is due to the confinement of a large number of vags, and of forty or fifty federal prisoners.

The last legislature made an appropriation of \$10,000 for the foundation for a new prison, but no new site has been selected as yet. It is the intention to re-locate the prison on a tract of government land further from the center of town.

HAWAIIAN STOCKS.

San Francisco stock quotations sent Henry Waterhouse Trust Co., Ltd., by Edw. Pollitz & Co.: Hawaiian Commercial, \$17.00; Honokaa, \$11.50; Makaweli, \$21.00.

LOCAL BREVITIES.

Three new varieties of fish were added to the aquarium yesterday, making the total eighty-three.

The Public Works Department is moving back to its regular quarters, vacated by the Senate.

An appraisement of the estate of Mrs. M. L. Hoffman filed by Charles Phillips gives the valuation as \$58,559.63.

Letters from T. F. Sedgwick, formerly assistant in the Federal experiment station here, say his work in establishing a sugar planting experiment station in Peru is progressing satisfactorily.

Curtis P. Laukea is announced to have become a Democrat and a Hearst one at that. Prince David Kawanakoa is reported as declaring for Hearst and favoring an instructed Hawaiian delegation.

A letter has been received by the Builders and Traders' Exchange from the New York Board of Trade urging assistance from the former to the Gardner bill for a commission to investigate the American mercantile marine.

An envelope addressed in the handwriting of George A. Davis to the "Governor of the American Territory of Hawaii," postmarked at San Francisco April 9, arrived in the Ventura mail. It contained two perfectly blank sheets of paper.

Judge De Bolt is quoted by an evening paper as being of the opinion in effect that the cutting off of all salaries to the Hawaiian judges is a step towards the complete subjugation of the Hawaiian people.

So crowded has the prison become that the Hawaiian prisoners are being kept outside of the walls. The authorities are so crowded that they are being kept outside of the walls. The authorities are so crowded that they are being kept outside of the walls.

LOCAL BREVITIES.

(From Wednesday's Advertiser.)

R. V. Woods and wife of Kealahou, Hawaii, are journeying to London, to return in September.

Herr von Buri, German Consul-General at Sydney, and his wife are stopping at the Young Hotel.

Deputy Marshal Winter departed on the Kinau yesterday for Hilo to arrest a Japanese who is accused of selling his wife.

A quantity of koa lumber was shipped to the coast on the Sierra yesterday. It will be used in the manufacture of furniture.

The steamers Kinau and Mauna Loa were delayed an hour in sailing to accommodate home-going members of the Legislature.

H. McCullum, charged with selling liquor without a license, was put under suspended sentence for thirteen months by Judge Lindsay yesterday.

The body of a Japanese named Ishida was found hanging to a tree near Pualea-uka, Hawaii, on April 12. It is thought he had hanged himself some days previously as the body was badly decomposed.

Frank Harvey, president; Solomon Kealoha, vice-president; G. Smith, secretary, and John Kalama, treasurer, are the officers of a Democratic club formed in the seventh precinct of the Fifth District.

Mr. and Mrs. C. C. Perkins and Mrs. Kelley departed on the Sierra yesterday for San Francisco, and were given a big floral send off by a large delegation of friends. Mr. Perkins, who has been the representative of an oil company here, has been transferred to the Coast.

Ah Wah was arrested yesterday afternoon on a charge of receiving stolen goods. He is alleged to have bought of Chinese thieves tubs of soy. The seven Chinese composing the alleged gang of robbers, arrested during the past few days by Special Officer McDuffie, are alleged to have stolen the soy from J. H. Makino.

(From Thursday's Advertiser.)

Judge Kopeikai and wife have gone to Maui.

Governor and Mrs. Carter are still at Waiwala.

Solomon Meheula's trial for destroying House vouchers is further continued until the 27th inst.

Judge Dole granted the motion to allow David Lawrence & Co., in bankruptcy to continue business under W. W. Thayer, trustee.

Delegate Knudsen, besides attending the Chicago convention, expects to be present at the decennial reunion of his graduating class at Harvard in June.

The 10th of the 5th has a Democratic club with J. Naholawa president, S. K. Malou vice-president, R. M. Kaneoli secretary and David Kali treasurer.

District Attorney Breckons is bringing suits in the Federal court for Treasury Agent MacLennan to settle the interests of different parties in single file claims.

Mrs. Ida Tenney Castle by G. P. Castle, her attorney in fact, has filed in the Court of Land Registration a petition for a "Torrens" title to certain land in Honolulu, the location being near Kapiolani Park, containing an area of 65,430 square feet.

Judge Dole sentenced Torokichi Shoda, on plea of guilty to importing women, to imprisonment at hard labor twelve months. The prisoner told the Judge that his old mother in Japan would probably commit suicide when she heard he was in jail.

Samuel E. Damon, treasurer of the Leali Home for Incurables, in his report for March to the Board of Health presented yesterday, shows receipts of \$354 and payments of \$980.57 for the month. There were 29 inmates at the end of the month, cared for by a regular staff. Dr. A. N. Sinclair, medical superintendent, signs the report with the treasurer.

Mons. Antoine Vizzavona, French Consul for Hawaii, returned last evening on the Ventura from a nine months' absence spent in France, Corsica and Algiers. Much of his time was spent on his native Isle, Corsica. He returns improved in health and is glad to be back in Honolulu again. He will relieve Mr. Albert Raas who has been the acting French Consul.

J. T. McCrosson of the Kohala Ditch Co. returned last night on the Ventura from San Francisco. Mr. McCrosson stated that he had been financing the company on the coast but nothing definite had been decided as to the funds. He will again leave for the coast in about two weeks to complete negotiations, and expects that most of the money will be subscribed in the west. He states that about \$1,000,000 will be required for the Hamakua end, and about \$1,600,000 for the Kohala section.

Two stragglers from the Iroquois were taken in by the police yesterday. W. C. Lyon and wife will leave next week on the bark G. C. Toboy for San Francisco.

Dr. Russell will deliver a lecture soon for the benefit of the Japanese Red Cross Society.

District Attorney Breckons has been informed that \$20,000 is at the disposal of the War Department for purchase of the Kahauiki lands wanted for an army post.

The American Board of Missions has bought at San Francisco the wooden steamer Sunbeam, 40 tons net register, for use in Polynesian mission work with San Francisco as her home port.

Senator Palmer Woods, committee man for Hawaii in the Democratic National Committee, is suggested as a likely candidate for delegate to congress on the ticket of his party in November.

Attorney General Loring Aldrich is expected to arrive from Washington where he has been signing the Indian side of the Plenary laws before the Hawaiian court in the Hawaiian case.

100 Doses For One Dollar

Economy in medicine must be measured by two things—cost and effect. It cannot be measured by either alone. It is greatest in that medicine that does the most for the money—that radically and permanently cures at the least expense. That medicine is

Hood's Sarsaparilla

It purifies and enriches the blood, cures pimples, eczema and all eruptions, tired, languid feelings, loss of appetite and general debility.

"I have taken Hood's Sarsaparilla and found it reliable and giving perfect satisfaction. It takes away that tired feeling, gives energy and puts the blood in good condition." Miss Effie Colosse, 1335 10th Street, N. W., Washington, D. C.

Hood's Sarsaparilla promises to cure and keeps the promise.

BUSINESS CARDS.

H. HACKFELD & CO., LTD.—General Commission Agents, Queen St., Honolulu, H. I.

F. A. SCHAEFER & CO.—Importers and Commission Merchants, Honolulu, Hawaiian Islands.

LEWERS & COOKE.—(Robert Lewers, F. J. Lowrey, C. M. Cooke.)—Importers and dealers in lumber and building materials. Office, 414 Fort St.

HONOLULU IRON WORKS CO.—Machinery of every description made to order.

HONOLULU STOCK EXCHANGE.

Honolulu, April 21, 1904.

NAME OF STOCK	Capital	Val.	Bid.	Ask
MERCANTILE.				
C. Brewer & Co.,	\$1,000,000	100	....	305
SUGAR.				
Ewa,	5,000,000	20	18 1/2	....
Haw. Agricultural,	1,200,000	100	....	105
Haw. Com. & Sugar Co.,	2,812,750	100	....	....
Hawaiian Sugar Co.,	2,800,000	100	....	....
Honolulu,	750,000	100	....	105
Honokaa,	2,000,000	20	....	14
Kahuku,	500,000	100	....	18 1/2
Kihikihi,	500,000	100	....	....
Kihikihi Plan. Co., Ltd.,	2,500,000	50	....	....
Kipahulu,	180,000	100	....	....
Kohala,	500,000	100	....	120
McBryde Sug. Co., Ltd.,	3,500,000	30	....	2
Oahu Sugar Co.,	3,000,000	100	....	....
Onomae,	1,000,000	20	....	....
Ookala,	500,000	100	....	....
Oloa Sugar Co., Ltd.,	5,000,000	20	....	8 1/2
Olowalu,	150,000	100	....	....
Pahukan Sug. Plan. Co.,	500,000	100	....	....
Pacific,	2,500,000	100	....	....
Pala,	750,000	100	....	....
Peepee,	750,000	100	....	....
Pineapple,	2,500,000	100	....	77 1/2
Waialua Agri. Co.,	4,500,000	100	37 1/2	....
Waialuku,	700,000	100	....	....
Waianae,	250,000	100	....	163
STEAMSHIP COS.				
Wilder S. S. Co.,	500,000	100	....	....
Inter-Island S. S. Co.,	800,000	100	....	....
MISCELLANEOUS.				
Haw. Electric Co.,	500,000	100	95	....
H. R. & L. Co., Ltd.,	1,000,000	100	....	100
H. R. & L. Co., Ltd.,	1,000,000	100	....	82 1/2
Mutual Tel. Co.,	150,000	10	....	8 1/2
O. R. & L. Co.,	4,000,000	100	....	77 1/2
Hilo R. R. Co.,	1,000,000	20	....	....
BONDS.				
Haw. Gov't, 5 p.c., .....	....	....	....	68
Haw. Ter., 4 p.c. (Fire Claims), .....	....	....	....	....
Hilo R. R. Co., 8 p.c., .....	....	....	....	....
Hon. R. & L. Co., 8 p.c., .....	....	....	....	....
5 p.c., .....	....	....	....	104
Ewa Plant., 6 p.c., .....	....	....	....	100
O. R. & L. Co., 6 p.c., .....	....	....	....	100
Oahu Sugar Co., 6 p.c., .....	....	....	....	100
Oloa Sugar Co., 6 p.c., .....	....	....	....	100
Waialua Agri. Co., 6 p.c., .....	....	....	....	100
Kahuku, 6 p.c., .....	....	....	....	100
Pioneer Mill Co., 6 p.c., .....	....	....	....	100

SALES BETWEEN BOARDS.

Fifty Ewa, \$20; 10 O. R. & L. Co., \$75.

METEOROLOGICAL RECORD.

By the Government Survey, Published Every Monday.

Day	Apr.	BAROM.		THERM.		Rel. to Sat. 9 a.m.	Humidity	Clouds	Wind	Force
		9 a.m.	3 p.m.	Min	Max					
S	9.80	82.29	66	78	67.82	2	NE	5-4		
M	10.30	7.80	01	66	74	80.71	4	NE	4	
T	11.80	01	29.88	66	76	83.70	3	NE	4-2	
W	13.01	29.98	68	75	81.61	4	NE	1-3		
Th	14.01	0.94	63	77	83.75	5	NE	0-8		
F	15.30	04.29.98	64	78	86.73	6	NE	1-3		
S	15.30	04.29.97	71	78	82.69	4	NE	1-2		

MAN CHONG BEING TRIED

Story of Officer Mahelona's Death.

Only a few minutes were required yesterday morning to complete the jury for the trial of Man Chong for the murder of Policeman Mahelona. Following is the panel:

James Bicknell, Percy Lishman, C. J. Falk, Sam. E. Pierce, Henry Gehring, Jas. W. L. McGuire, H. R. Macfarlane Jr., John C. Lane, Levi K. Nakea, Chas. Hummel, Chas. F. Merrifield and B. S. Gregory.

The prosecution had exhausted its six and the defense its twelve challenges before the result was gained.

At the request of Mr. Peters for the prosecution, Mr. Ashford for the defense consenting, Judge De Bolt permitted the jurors to go to their places of business, in charge of bailiffs, and settle up their affairs before 1 o'clock p. m. Bailiffs Hopkins and Quinn were also authorized to take the jury to lunch. At 10:41 the court took recess until 1 p. m.

At the opening of court in the afternoon, Mr. Falk stated that it was the unanimous desire of the jurors that night sessions be held.

Mr. Peters, after reading the indictment charging Man Chong with murdering John William Mahelona on November 19 last, called Samuel M. Kerns as the first witness for the Territory. He also offered in evidence a map showing Kukui lane.

Mr. Ashford asked that Charles Clark be excluded from the courtroom until after his son Charles had testified. The court denied the request.

Stephen and Clement Parker, sons of Police Captain Parker, gave evidence and Mr. Peters, against the objections of Mr. Ashford, offered in evidence a revolver picked up at the spot where young Clark had held Man Chong down upon the ground after the shooting. The weapon was admitted, though the court did not quite like it in a loaded condition, as Mr. Peters said it was.

At 4 o'clock recess was taken until 7:30 p. m.

THE TALE UNFOLDING.

The testimony thus far shows that Mahelona, the night of his death, caught Man Chong in a yard near Liliha street, with chickens in his possession. As the Parker brothers were on their way home shortly after 10 o'clock they met the officer and his prisoner on Liliha street. Mahelona returned with Man Chong into the yard to make investigation regarding certain sacks the Chinaman said were there. Charles Clark Jr., living in the vicinity, went to the assistance of Mahelona, as did the Parker boys. While the three young men were in the yard, Man Chong conducted Mahelona to a corner behind a two-story house. Clark followed them and, in a few minutes, a pistol shot was heard from the recess. It was a dark night. After a short interval there was a rapid succession of four or five shots. Clark called to the Parker boys in English for help. They ran to the spot and found Clark lying upon the prostrate body of Man Chong. Clement Parker took hold of the Chinaman, relieving Clark who had been wounded in the arm.

Other assistance appeared. Man Chong was removed to the street, struggling to escape, and was sent to the station. Somebody brought a lantern and Mahelona's dead body was found with face upward lying a few feet from where Clark had put the Chinaman down. A gunshot showed in his neck. The dead officer's nickel-plated revolver was found about a foot from his right hand. Upon the spot where the struggle between Clark and Man Chong had taken place a black revolver was picked up by Stephen Parker, who gave it to Detective McDuffie. The prisoner at the bar was identified by the witnesses from having the fingers of his left hand off.

STOLEN WILL SETTLEMENT.

Judge Robinson made an order of distribution in the matter of the estate of Francisco Botelho, deceased, of which J. P. Dias is administrator. This is a case in which the will of the dead man was entered for probate, its contents being given in the daily papers at the time, and afterward lost. Proof of the will was made to the satisfaction of the court and the administration proceeded.

There is little doubt that the will was stolen from the desk of the clerk in his temporary absence. The testator had asked for a brass band at his funeral in addition to the ordinary accessories of a decent burial. Legatees were those named in the following schedule of distribution as ordered by the court:

Antonia Botelho, daughter, aged 14 years, \$154.37 1-2.

William Botelho, son, aged 3 years, \$154.37 1-2.

Rev. Clement Everard, as trustee under the last will of Bishop Gulistan P. Hooper, \$151.75.

Besides the foregoing portions the children will receive \$400.00, a death benefit in the hands of the Portuguese Mutual Benefit Society. This sum the administrator reported the society claimed would only be paid out to the legal guardian of the children.

MORE KONA LITIGATION.

The Supreme Court held a special sitting yesterday to hear the motion of respondent to dismiss the writ of certiorari against District Magistrate Thomas A. O. Smith. The writ was issued by the court to nullify the writ of possession granted by the district magistrate to the respondent.

of possession granted by Ali to the Kapilani Estate, Ltd., against Clinton J. Hutchins, trustee, for the mill property of the Kona Sugar Co. Kinney, McElanahan & Cooper appeared for the motion; Cathcart & Milverton against. The court took the matter under advisement.

Eliza Roy has brought suit against Clinton J. Hutchins, trustee, as defendant and Henry Waterhouse Trust Co. as garnishee, for \$3401.35 alleged to be due in rental and taxes on 1000 acres of land leased to Kona Sugar Co. on February 1, 1899, for thirty years at an annual rental of \$3576.56 for the first two years and \$5952.60 for the remainder of the term. Summons is made returnable at the September term.

JUDGMENT FOR PART.

Judge Gear rendered judgment in the replevin case of Manuahi vs. Mele Kaukea. The property claimed made fifteen items, of which the total value alleged was \$161, and \$50 damages was asked. District Magistrate S. Hookano of Ewa gave judgment for the entire list, with nominal damages of \$1 and costs of \$3.80, the defendant having declined to put in any evidence. Plaintiff had sued as administrator of the estate of Pila Manuahi, deceased. Judge Gear's judgment was in favor of the plaintiff for only a tool chest, a trunk and a safe. Robertson & Wilder for plaintiff; E. A. Douthitt for defendant.

MRS. KOLOMOKU'S DENIAL.

Mary Ann Kolomoku answers the libel in divorce brought by Hiram Kolomoku, admitting the marriage as alleged but denying every other allegation in the complaint. She also consents to an immediate hearing and trial of the cause without awaiting the expiration of twenty days from the date of the service of summons. Robertson & Wilder are her attorneys.

DESERTION, CRUELTY, ETC.

Heleen Clara Fonseca has brought a libel in divorce against Joseph Fonseca on the ground of desertion. The parties were married at New Bedford, Mass., August 28, 1890, and these children have been born to them: William, aged 12; Lillian, 9; Walter, 7; Edwin, 5; Ethel, 2. The libel is alleged to be a steward earning about \$65 a month, who since February 22, 1902, has utterly neglected to provide his wife and children with the necessities of life.

Arcenia de F. Souza has brought a divorce suit against Jose de Souza, alleging extreme cruelty and habitual drunkenness. They were married Aug. 29, 1891, and have one son aged 8 years.

WANTS TO DRAW MONEY.

Mrs. Sarah Perry, guardian of Freddy and George Perry, minors, petitions the Circuit Court for an order authorizing the clerk to pay to her the principal of \$60.88 remaining of the estate of the minors. Ever since the death of her husband, Frank Perry, on April 28, 1897, the petitioner says she "has remained a widow, earning her livelihood by the work of her own hands, such as receiving clothes for laundry purposes from those who are willing to entrust to her such work." Now her father, a resident of California for three years, has written to her to join him in that State and "owing to the hard times now prevailing in Honolulu, petitioner intends to leave Honolulu with her two sons to better their condition in said State of California," and says it is not her intention to return to Honolulu with her two sons. She desires to draw the principal, of which the interest has been paid her all along, to be used as passage money and other personal necessities of the children. Frank Perry, another son of her late husband by a former marriage, left the Hawaiian Islands with his grandaunt in 1898, to whom was paid \$132.65 as his distributive share of the father's estate.

LOTS OF WRITING.

Clerk M. T. Simonton's minutes of the January term business before Judge Robinson, presiding, aggregated more than 77,000 words. This amount does not include the minutes of hearings at chambers held by Judge Robinson during the term.

EXECUTOR APPOINTED.

Judge Gear appointed Wm. O. Smith as executor of the will of Josephine C. Barber, under \$5000 bond.

HAWAIIAN MATTERS

(Continued from page 1.)

The Senate has had considerable debate during the past week on Chinese exclusion, as it is claimed that the denunciation of the treaty of 1894 by China will open all our ports to Chinese after December 7 next. The Republicans refuse to share that view but Democrats are pressing it, hoping to make political capital. Senator Lodge said today that he took no stock in the cry that the denunciation of that treaty would make ineffective the existing law. "But if the present law is corrected," he added, "it will be done by an amendment to one of the appropriation bills."

MCLELLAN'S WORK.

Mr. George B. McClellan closed up his work here, affecting the electric light franchise bill and regarding legislation to confirm the right of way to the Oahu Railroad and Land Company through the military reservation of Kahaui and departed for the West Saturday last. He stated that it was his intention to tarry a little with some friends on the way and to sail from San Francisco on the Korea.

His bill to grant right of way to the Oahu Railroad was introduced in the House by Delegate Kalaniana'ole and referred to the Committee on Military Affairs, by which committee it has been reported back favorably. Mr. Foraker, chairman of the Senate Committee on Pacific Islands and Porto Rico, has proposed the same measure in the Senate as an amendment to the Sundry Civil Appropriation bill, which will probably be reported to the Senate next week. The language of the amendments and of the bill is as follows:

"That the lands from the authorities of Hawaii, dated the twenty-ninth day of April, nineteen hundred and three, and fourth day of February, nineteen hundred and four, and the lands owned and controlled by the Hawaiian Islands Land Company, be and the same be conveyed to the Oahu Railroad and Land Company, consisting of a right of way forty feet wide

WARRANTS FOR GRAFTING SESSIONS TURNED DOWN

Treasurer Campbell Refuses To Pay Expenses of House In 1903 Out of 1904 Appropriation.

"Warrants have been drawn for the payment of expenses of the regular and special session of the Legislature in 1903 which I as Treasurer will not pay."

Treasurer A. J. Campbell made the foregoing statement with decisive emphasis yesterday afternoon, adding:

"These warrants have been drawn by John H. Wise, clerk of the House of Representatives, under a resolution passed by the House that unpaid bills of 1903 should be paid out of the appropriation for the special session. That appropriation was made to pay the expenses of the House for the special session of the Legislature in 1904 and I have no authority for expending any of it to pay expenses of the Legislature incurred at the sessions of 1903."

Mr. Campbell gave the following list of the warrants in question drawn by Clerk Wise, the first payable to himself and the second to Solomon Meheula, his 1903 predecessor:

No. 838.	John H. Wise	\$ 240 80
No. 839.	Solomon Meheula	585 00
No. 840.	Paradise of the Pacific	634 20
No. 841.	D. H. Kahaulelio	105 84
No. 842.	W. J. Coelho	458 60
No. 843.	Enoch Johnson	240 80
No. 845.	Hawaiian News Co.	21 25
		\$2,286 49

for the railway of said company through the military reservation of Kahaui, district of Kona, Oahu, Hawaiian Islands, be, and the same are hereby, ratified and confirmed."

Having advanced his bill to this stage Mr. McClellan thought it could be well left in the hands of another here, who will watch it carefully and urge its passage in Senate and House at the proper time. A long letter from Secretary of War Taft, with enclosure, has been printed by order of the House, touching upon the proposed legislation. The Secretary includes a letter from Gov. Carter, calling attention to the case and the circumstances under which the deeds for right of way were given. Judge Advocate General Davis, of the Army, was asked to pass upon the letter of Gov. Carter and recommended that no further action be taken at present. Then Assistant Secretary of War Oliver wrote to Gov. Carter informing him of the opinion of the War Department on the subject. Gov. Carter's letter having been addressed to Col. Oliver. Then when the subject was eventually brought before Secretary of War Taft, with a request for a recommendation from him, favoring proposed legislation, he wrote a letter, dated March 26, approving the bill. Secretary Taft said in conclusion:

"In both deeds the right of way for the railroad is described as being 40 feet in width, 20 feet on each side of the center line. The power to dispose of the real property of the United States is vested in Congress and can only be exercised by the Executive with express legislative consent. I know of no objection to a ratification of the conveyances in question, and in view of the facts as above stated it would seem that such action should be taken. "I have the honor, therefore, to recommend that the act of the Hawaiian government in granting a right of way across the Kahaui be authorized." With his letter Judge Taft submitted the draft of an appropriate clause of legislation, which was the same as that given above.

Mr. McClellan made a number of warm friends in Congress and elsewhere during his stay in Washington. He did not confine himself during his stay entirely to the two measures in which he was directly interested but gave attention to several matters of general interest to the islands.

THE CARTER BILL.

A bill, following a recommendation by Gov. Carter extending the power of removal from office and amending the organic act to that extent has been introduced in the Senate and House by Mr. Foraker and the Hawaiian delegate respectively. What the prospects for the passage of such a bill are at this session cannot be definitely stated but probably they are not as bright as might be. The bill provides for amendments to the organic law so that Section 80 shall read as follows:

"Sec. 80. That the President shall nominate and, by and with the advice and consent of the Senate, appoint the chief justice and justices of the supreme court, the judges of the circuit courts, who shall hold their respective offices for the term of four years, unless sooner removed by the President; and the governor shall nominate and, by and with the advice and consent of the Senate, appoint the attorney-general, treasurer, commissioner of public lands, commissioner of agriculture and forestry, superintendent of public works, superintendent of public instruction, auditor, deputy auditor, surveyor, high sheriff, members of the board of health, commissioners of public instruction, board of prison inspectors, board of registration and inspectors of election, and any other territorial boards of a public character that may be created by law; and he may make such appointments when the Senate is not in session by granting commissions, which shall, unless such appointments are confirmed, expire at the end of the next session of the Senate. All such officers shall hold office for four years, and until their successors are appointed and qualified, unless sooner removed by the governor for cause, except the commissioners of public instruction and the members of said boards, whose terms of office shall be as provided by the laws of the Territory of Hawaii."

"The manner of appointment and removal and the tenure of all such officers shall be as provided by law, and the governor may appoint and remove officers in the manner provided by law."

W. O. SMITH RETURNING.

Hon. W. O. Smith also leaves for the Pacific Coast today but does not intend to sail from San Francisco on the Ventura. He will wait two days for the Korea. Mr. Smith's stay here this winter, although prolonged far beyond what he wished, has been of incalculable benefit to the Islands, as I have stated in previous letters. He stood out here as one of the leading men of the Territory, identified with its substantial interests, and has labored quite as assiduously for the general welfare of the Mid Pacific as he has for the passage of the electric franchise bill. Therefore while the delay in enacting the electric franchise has been naturally very annoying to him at times, this delay has in many ways redounded to the benefit of Hawaii.

MR. KALUA'S CASE.

None of the Honolulu people here has any inside information about the removal of Judge Kalua. The proceedings leading up to that action have apparently proceeded on information sent by Gov. Carter to President Roosevelt. At this writing his successor has not been appointed but the papers of Friday morning, April 8, had announced his removal and that a successor would be named. The Washington Star, Thursday, said that this action on the matter in the White House will be announced by the President in a letter to the Hawaiian people.

Attorney General Rogers and the

President had a conference today about appointing a judge for the second circuit of Hawaii to succeed Judge Kalua, whose term expires June 5. Judge Kalua has not been in favor for some time, and numerous charges have been made against him at the Department of Justice. An investigation showed that his work had not been satisfactory, and he was given to understand that he would not be appointed to succeed himself in June next. Shortly after he received this tip Judge Kalua adjourned all the cases before his court to the 6th of June, to be disposed of by his successor. As many of these cases were important, there was a clamor from Honolulu and elsewhere that another judge be selected, so that the work of the court could be carried on, the claim being made that serious detriment would follow so long a delay. It has been agreed that a successor to Judge Kalua shall be appointed at once.

Late this afternoon it was announced at the White House, as is doubtless already known in Honolulu, that the President after a further consultation with Attorney General Knox, had decided to appoint A. N. Kepoikai as territorial judge. Delegate Kalaniana'ole said this afternoon, at the Capitol, and before the appointment was announced, that he had that morning called to Gov. Carter recommending Kepoikai for the appointment. It is regarded here as a good selection and one that will enable Gov. Carter to eliminate some of the friction in his administration of the territory's affairs.

"Kepoikai is a good lawyer, probably the best of the native lawyers in the islands," said Delegate Kalaniana'ole today, before he knew that the appointment would be made. "I think he would make a good judge and I hope the President will appoint him."

No date has been finally set yet for the argument of the Hawaiian fisheries case before the Supreme Court. The attorneys have some reason to hope that it will be reached some time late next week or in about eight or ten days. Attorney General Andrews came over here from New York two or three days ago and then departed again. Ex-Minister Hatch, who is on the other side of the case, is still in town awaiting the arguments.

Mr. W. N. Armstrong's new book, "Around the World with a King" is proving an unusually good seller, so the head of Brentano's bookstore here told me today. The firm is prominently displaying the book in its show window and with the book are displayed a rare collection of the photographs of royal personages in Europe whom King Kalaniana'ole visited on the trip when he was accompanied by Mr. Armstrong. These pictures are a never failing source of interest for those passing on Pennsylvania Avenue and undoubtedly help to advertise the sale of the book immensely.

Mr. Clarence L. Cullen, of this city, a brilliant newspaper writer, has just left Washington to take up his residence in Hawaii. His contributions of a semi-humorous and human interest character to the New York Sun and other leading papers have been prominently featured for several years. His brother is employed in the government service in Hawaii.

The Fortifications Appropriation bill is not yet entirely out of conference but the item affecting fortifications in the territory of Hawaii has been disposed of by both Senate and House in a partial report of the conference committee. The item of \$200,000, as passed by the House was allowed to remain in the bill and will become law. The money will not be available till July 1 next. The War Department officials will before long take up plans for carrying out the terms of this appropriation.

The bill regarding labor statistics in the territory, having passed both Senate and House in identical language, has gone to the President for signature. It will become a law.

ERNEST G. WALKER.

SCOTT SAID TO BE SHORT \$1600

W. B. Scott, a former employee of Bishop & Co., is held in Oahu Jail awaiting a charge of embezzlement, to be preferred by High Sheriff Brown this morning. Scott was in custody on another charge and Bishop & Co. examined his books, only to find an alleged shortage of about \$1600. Scott, according to the police when charged with the shortage, is said to have admitted it.

Scott was in charge of the foreign order department of Bishop & Co. and it is said that he failed to make remittances as he should have done. The shortage of \$1600 is alleged to have occurred within the past two or three months. Mr. Damon told the police that the shortage was such that Scott could not have carried it much longer, and that it would have been discovered in a few days whether he had been arrested or not. High Sheriff Brown said yesterday that he intended to file an information against Scott in the Police Court today.

MANY LEPERS IN AMERICA

NEW YORK, April 11.—The statement that there are 2000 lepers in the United States startled the Presbyterian ministers at their meeting today. It was made by John Jackson of London, England, who is the organizing secretary of the mission to lepers in India and the East. He has begun a tour of the principal cities of the union in the interest of his organization.

Jackson estimated that the lepers of the United States are largely confined to the extreme southern states and the Pacific Slope, and that, although there is little fear of the disease spreading in other sections, it is important to keep it down in the sections infected.

In his address, which treated especially of the work of the mission in the East, he said that the only means of curing leprosy is by isolation, the patient being placed in a special building, where all social contacts are cut off, and the patient is kept in isolation until the disease is cured. He said that the mission in the East has been successful in curing many lepers, and that the mission in the United States is now beginning its work.

Attorney General Rogers and the

COLLATING THE ALIENS

Discussion As To the Benefit To Hawaii.

Builders and Traders talked long and earnestly last evening over the educational problems of Hawaii. What chiefly interested them was whether it paid to educate the Asiatics at the expense of the taxpayers to eventually compete with American citizens in the trades and professions. There was talk also of possible legislation at the next session of the legislature relative to this matter, and a strong committee was appointed to investigate, and if advisable, to report with a bill which might be presented to the next legislature. The majority of the members took a rather discouraging view of the situation, believing there was no solution possible, and that the Asiatic children, being American citizens could not be shut out from the advantages of the schools.

Charles Carter was the only member of the old committee present, and he reported that he had run against a stone wall and couldn't get over it. He said that from his investigations, he was persuaded that the Japanese and Chinese children could not be kept out of the schools. He believed that the best way was to drop the agitation and to permit the Asiatics to get an education.

Stanley Stephenson said he had studied the question at one time, chiefly from being in a city where the Japanese overran the place, and forced the white children into basements and new buildings. Finally the community was compelled to issue \$100,000 in bonds for new schoolhouses and then an investigation was made, the cause ascertained, and it was decided to charge the Japs, tuition sufficient to pay for their share in the educational system.

John Emmeluth thought the committee should have brought in statistics to show the cost per capita and the amount of taxes the Japanese are paying towards the support of the schools. He said the whole thing resolved itself down to a question of the survival of the fittest, and in this case the fittest would be the man who could live at the least expense and do the most work.

Mr. Clark stated that the aliens paid their taxes, and that in the country districts they paid the bulk of the school tax.

Mr. Emmeluth disputed the assertion, and said that the entire school tax amounted to but \$20,000 per year, while the cost of the schools aggregated \$300,000 per annum.

Mr. Howard suggested that a more equitable division of taxes would be an assessment against the parent for each child of school age. He said that neither the Chinese nor the Japanese were illiterate; less so than the people of the Eastern States.

Mr. Carter said that the Asiatics were brought here originally to till the soil, that the taxes came from the plantations which were tilled by these men, and that he did not believe that anything could be done to relieve the present situation.

L. E. Pinkham read a letter which he had received from a school teacher in response to a question as to what should be done with the Asiatic in the schools. The reply had been, that, had the Asiatics been given any inducement, other than field labor, when they came here, the problem would be much more complicated. But as they were brought here for field labor, they should be educated for it. It did no good to educate them for good citizenship as they couldn't become citizens, and the Hawaiian boys had no incentive to study when they had to compete with the Chinese. The teacher believed in America for the Americans, and only in educating good loyal American citizens.

Mr. Pinkham said that Hawaii was an agricultural country, and to educate Asiatics made them opposed to field work. He admitted that the Territory "was right up against it."

Mr. Howard told of a Hawaiian who had come over from Kauai to take a course in farming in the higher schools, and afterwards returned but would not work on his farm.

Jas. Nott, Jr., opposed the proposition of taxing every man according to the number of his children, and asked who was to pay for the orphans. Mr. H. E. Hendricks believed in the more practical education of both Hawaiians and aliens, and said that the best way was to make them better citizens, whatever the cost to the taxpayers.

Mr. Stephenson said that they couldn't be made into American citizens, they went to the public schools in the morning, and to their own churches and schools in the afternoon. He believed in making them American citizens only if they paid pro rata for the support of the schools.

Mr. Craig thought it a deep and serious question and said that the legislature would take it up at the next session. He suggested the enlargement of the committee, and the committee was finally restricted to continue its investigations and report at the next meeting. Charles Carter and W. C. Weedon were already on the committee and W. W. Harris, Marston Campbell and H. E. Hendricks were added to it.

A letter was read from Delegate Kahi advising the exchange to continue itself in internal improvements of the strait and navy in Hawaii. New rules for collection were also adopted.

Attorney General Rogers and the

HOW NEUMANN CAME TO HIS DEATH

Story of Disaster On Battleship Missouri.

PENSACOLA, (Fla.), April 13.—The most appalling disaster in the history of the American Navy since the blowing up of the Maine in Havana harbor in 1898 occurred on board the first-class battleship Missouri here today, when 2000 pounds of smokeless powder exploded, killing twenty-nine officers and men outright and injuring five more, two of whom will die. The dead are as follows:

Lieutenant W. C. Davidson.
Lieutenant (junior grade) E. A. Welch.
Lieutenant of Marines J. V. P. Gridley.
Midshipman W. E. L. Neumann.
Midshipman Thomas Ward Jr.
Coxswain J. Bloxopolus.
Boatswain's Mate (first-class) G. K. Peterson.
Seaman W. J. Bogard, O. N. Soder, Ralph H. Allison, Ordinary Seaman C. Rice, K. J. Kivlen, J. Gedris, J. F. Kennedy, J. P. Starr, J. C. Nunn, H. W. Franks, Landsmen H. S. Cherbath, E. J. Mulligan, J. M. Roche, Electrician (second class), T. F. Rowlands, Gunner's Mate (second class) A. Smith, Chief Gun Captain T. E. Belaum, Private Marine W. L. Shipman, Apprentice (second class) G. C. Hardy, P. R. Oastler, C. H. Tobin and J. W. Cole.

The two men fatally injured are J. T. J. Donnelly, an ordinary seaman, and O. B. Moe, an apprentice (second class).

The accident happened about noon, while the Missouri, Captain William S. Cowles commanding, was going through her first regular target practice on the range about fifteen miles distant from the naval station here. She was accompanied by the Texas and Brooklyn.

As only one man of the twenty-five who composed the crews of the turret and handling-room survives, the exact cause of the disaster can only be conjectured. It is believed that the gun pointer accidentally fired the fourth shot of his string from the starboard gun in the after turret before the breech was locked. This was blown open by the explosion of the powder, filling the turret with flaming gases and hurling the blazing powder into the handling-room below, where four other charges of powder, weighing nearly 400 pounds each, also ignited.

All that is known is that the first gun pointer in the after turret had fired his string and the second pointer had fired the third shot of his string just before the accident. The open breech of the gun and the explosion of the powder with such terrific force, left little room for imagination, there being but the one theory—failure to lock the breech in the anxiety to make a record for quick firing.

An instant after the two explosions in the turret and handling-room fire quarters were sounded, and every man of the crew responded, the magazine and handling-rooms being flooded with water.

In less than five seconds two streams of water were being played in the rooms, and when volunteers were called for every man responded, eager to go to the rescue of their comrades in the turret.

Captain Cowles issued his commands, and but for his presence of mind and that of his officers the Missouri must have been lost. The second explosion occurred near one of the magazines, and so hot was the fire that the brass work of the magazines was melted.

Leading the rescuing party was Captain Cowles. The officers endeavored to keep him from going below, as men were falling unconscious as they entered and had to be pulled out again by their comrades, but, unheeding their advice, the commanding officer rushed below, followed by Lieutenant Hamner, the ordnance officer, and Lieutenant Clelland David.

Captain Cowles caught up a dying bluejacket and staggered to the deck with him. The bluejacket with two others from the handling-room, had crawled partly from their place of duty when they had been overcome.

Before the fumes of the burning powder had left the turret officers and men were laying out the dead and dying men. Three minutes after the explosion all were on deck, and the surgeons from the Missouri, Texas and Brooklyn were attending to the injured. The twenty-five men of the turret were found lying in a heap. They had started for the exit when the first explosion occurred, and had just reached there, when the more terrible explosion in the handling-room burst and strangled them to death.

Lieutenant Davidson, the officer in charge of the turret, evidently had given some command to the men as he was on top of the turret when the explosion followed. After he had allowed them to pass him to get in the turret, the turret was found empty, and the bodies and limbs were scattered about the turret from their bodies.

and the flesh hung from them in shreds. Their faces were mutilated by the smoke and flames. Only one man was breathing when the turret crew was rescued, and he died a moment after he reached the deck.

News of the disaster was conveyed to the commandant at Pensacola by wireless telegraph from the Missouri, and thence by him transmitted to Washington, while the battleship was steaming back to port with the dead lying on the deck.

The account of the accident which reached Washington was contained in the following official dispatch:

"Five officers and twenty-four men are dead. Two more cannot live, as a result of the explosion on the Missouri. Three rounds had been fired from the after twelve-inch gun, and a shell had been sealed and two sections of powder rammed home when the explosion occurred, killing every officer and man in the turret and all but three in the handling-room. The commanding officer has informed relatives."

The entire Navy Department is stunned by the appalling catastrophe. The bureau of navigation has been active since the first news of the accident reached here, shortly after 4 o'clock. Although the commanding officer of the Missouri, Captain W. S. Cowles, as soon as he arrived at Pensacola, sent dispatches to the nearest of kin of the men killed, the department is also sending out these announcements so that there may be no mistake.

Captain John E. Pillsbury, assistant chief of the bureau of navigation, remained constantly at his desk, and, with the other officers of the bureau and a clerical force, started arrangements to care for the bodies of the officers and men. Secretary Moody is preparing a dispatch of sympathy to be sent to Rear-Admiral Barker, commander in chief of the North Atlantic fleet, requesting him to convey to the commander, the officers and men of the Missouri the profound sympathy of the department.

With only the brief dispatch from Admiral Barker telling how the accident occurred, all the officials of the department, from Secretary Moody down, hesitate to attempt an explanation of it.

It can be stated that officials of the department for more than a week past, while rejoicing in the world-breaking records in target practice on our war ships, have feared just such an accident as has occurred on the Missouri.

A naval expert tonight said: "The Missouri accident is too appalling to discuss. But I fear that enthusiasm in making world records has led us past the danger line. In our anxiety to surpass the world in the rapidity of big gun fire I fear we have permitted our enthusiasm to get the better of our judgment. How narrowly the entire ship escaped destruction outright is realized when it is recalled that near the handling-room is a magazine containing anywhere from 50 to 100 charges."

The Missouri is the very latest of the big battle-ships to go into commission. The flag was hoisted on her in December last at Norfolk by Captain Cowles, a brother-in-law of President Roosevelt. She collided with the Illinois off Pensacola a few weeks ago, and has had very little firing with her big guns; in fact, the nine or ten rounds which had been fired from each gun was in the course of official trials, and she was going through her first regular target practice when the disaster occurred.

The smokeless powder is put into the twelve-inch gun in three sections, each bag or section weighing 120 pounds. Some officers say that the turrets of the Missouri had no bottoms and express the opinion that after this accident the turrets of all battle-ships will be equipped with bottoms for the protection of the men in the handling-room underneath.

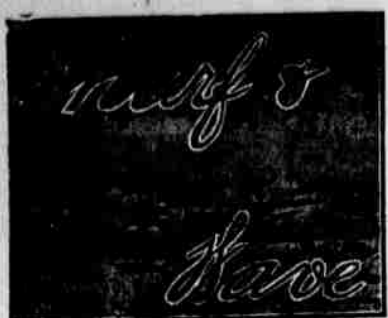
If Both Sides Should Disarm.

If both belligerents in the present war should agree to throw away their arms and trust simply to nature's weapons, which would win? Some may think and say at once that the advantage would be with the big, burly Russian, well seasoned to hardship. But would it? The Japs are small people; but they are about as hardy and athletic a race as lives today. From childhood they are trained to bear burdens and to open-air life. They are plain livers, knowing little or nothing of dyspepsia or heart troubles. More than that, they are trained athletes. Their lungs have been expanded by systematic deep breathing. Their muscles have been enlarged and strengthened by careful development. Their judicious movements have given them an aptness, skill and power in grappling which are more than a match for big, strong men not skilled in those exercises. So, if the two armies could meet without guns or other arms and go in for a grand wrestling and boxing match the chances would favor the victory of the little brown men of Japan.

Thetis on Way.

The United States revenue cutter Thetis, Captain Hamlet, sailed from San Francisco for Honolulu on April 9, where she will remain several months. From Honolulu she will proceed north and make her regular cruises in Alaskan waters. The Thetis formerly belonged to the navy and in spite of her age is one of the staunchest vessels flying the flag of the Treasury Department. She has the most comfortable quarters of any cutter in the revenue service.

BEFORE YOU START on a journey, you are a little of the following: (1) A little of the weather. (2) A little of the road. (3) A little of the driver. (4) A little of the car. (5) A little of the horse. (6) A little of the baggage. (7) A little of the driver's knowledge. (8) A little of the driver's skill. (9) A little of the driver's patience. (10) A little of the driver's good sense. (11) A little of the driver's common sense. (12) A little of the driver's common sense. (13) A little of the driver's common sense. (14) A little of the driver's common sense. (15) A little of the driver's common sense. (16) A little of the driver's common sense. (17) A little of the driver's common sense. (18) A little of the driver's common sense. (19) A little of the driver's common sense. (20) A little of the driver's common sense. (21) A little of the driver's common sense. (22) A little of the driver's common sense. (23) A little of the driver's common sense. 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ARRIVED AT HONOLULU.

Tuesday, April 19.

S. S. Sierra, Houdlette, from Sydney, Auckland, Pago Pago at 8 a. m.

Tuesday, April 19.

Stmr. Lehua, Self, from Molokai ports, at 11:10 p. m.

Wednesday, April 20.

Stmr. Mikahala, Gregory, from Kauai ports, at 6:40 a. m.

Schr. Lady, from Koolau ports, at 5 a. m.

O. S. S. Ventura, Hayward, from San Francisco, at 8:45 p. m.

DEPARTED FROM HONOLULU.

Tuesday, April 19.

S. S. Sierra, Houdlette, for San Francisco at 4:30 p. m.

Schr. Charles Levi Woodbury, Harris, for Puna and Hilo.

Stmr. Helene, Nelson, for Mahukona, Kulaia, Laupahoehoe and Papaia at 5 p. m.

Stmr. Claudine, Parker, for Maui ports at 5 p. m.

Stmr. W. G. Hall, S. Thompson, for Kauai ports at 5 p. m.

Stmr. Mauna Loa, Simerson, for Maui, Kona and Kau ports at noon.

Stmr. Kinau, Freeman, for Hilo and way ports at noon.

Stmr. Maui, Bennett, for Panahau and Oahu, for Mahukona mail and passengers only, at 5 p. m.

Stmr. Lehua, Self, for Maui, Molokai and Lanai ports, at 5 p. m.

Thursday, April 21.

O. S. S. Ventura, Hayward, for Pago Pago, Auckland and Sydney, at noon.

Stmr. Nihau, for Kauai ports, at 5 p. m.

PASSENGERS.

Arrived.

From Kauai ports, per stmr. Mikahala, April 20.—H. T. Hayselden, M. Loung, J. F. Haddock, R. M. Isenberg, W. J. Lyon, Hee Fat, Chung Hung, Miss Rose Aka, Miss Battige, Mrs. L. A. de la Nux and 2 children, W. C. Park, Bah Kai, Yokoyama, Master Yokoyama, Mrs. Takemoto, Master Takemoto and 69 deck.

Departed.

For Maui, Kona and Kau ports, per stmr. Mauna Loa, April 19.—W. Waterhouse, E. Kopke, C. F. Schermerhorn, J. W. Smithies, Mrs. C. M. Cooke, Miss J. Johnson, J. A. Kahalele, Dan Kauai, John Carvalho, Joe Correa, W. C. Parke, J. H. Craig, M. F. Prosser, C. W. Ashford, Miss P. Weibke, Mrs. R. Anderson, L. Tobler, John Millsaps, Miss Bishop, G. M. Bence, H. T. Hayselden, S. Yoshigima, Mrs. Kanimakale, Mrs. H. K. Meemano, Mrs. H. Peterson, M. J. McLeod, wife and son, Mrs. J. F. Janssen.

For Hilo and way ports, per stmr. Kinau, April 19.—Mrs. Mary Allau and girl, W. K. Kealawa, J. B. Kaohi, Miss Longmore, E. A. Fraser, Eben P. Low, H. L. Holstein, Major Purdy, A. Gramberg, C. Sawano, Wm. H. Beers, Rev. S. L. Desha, A. H. Jackson, G. P. Tulloch, M. J. Gouveia, Carl S. Smith, A. Fernandez, wife and two children; W. N. Purdy and two children, Mrs. E. Oelhoffen and child, Mrs. C. Kimball, Mrs. K. Horner, H. M. Kanlio, Chas. H. Pulaa, H. E. Kelsey, John T. Moir, J. H. Mackenzie, Miss G. Dowsett, Miss Campbell, A. W. T. Bottomley, John Watt, E. W. Giddings and son, J. T. Baker, C. Kaiser, Miss L. Laukea, Mrs. Capt. Wailana, Miss V. G. Makee, Mrs. Kalina Aka, J. T. Brown, Mrs. E. W. Giddings and daughter, Mrs. J. H. Wise and four children, C. N. Prouty, Theo. Wolff, Frank Winter, Chas. Gay, Fr. Greenwell, R. W. Shingle.

Per stmr. Nihau, April 21, for Kauai ports.—W. H. Rice and wife, A. Hanneberg, E. A. Knudsen, Laura Kane, M. O'Brien, Mr. Mackintosh, L. Nakapahu, W. Krause, W. F. Drake, R. H. Chamberlain, W. A. Kinney, E. Orsted, W. J. Sheldon.

Per O. S. S. Ventura, April 21, for Pago Pago, Auckland and Sydney.—Herbert Ziele, Mr. and Mrs. Wardrop, Kerr and Mrs. Von Burr.

Shipping Notes.

The Ventura sailed for the colonies at two o'clock yesterday.

The Nebraska has sailed from New York for San Francisco and Honolulu.

The China, which is due from the Orient Monday, will have 400 immigrants aboard.

The Mikahala is laid up for repairs and the Nihau went out on her run to Kauai yesterday afternoon.

The schooner Kailua was wrecked on April 8 near Puget Sound. All hands are believed to have been drowned.

The American schooner Mary B. Foster was reported off port last night. She is twenty days out from Port Blaney.

Seven Japanese will be consigned on the Kona today. Five of the selected ones came over on the Maile and the other two on the American Hero.

The Hawaiian will sail from New York for Honolulu on May 15th, the Hawaiian on June 1st and the Hawaiian on June 15th. All three vessels are to be of the same type.

The American ship Howard moved out of the harbor today. It is believed to have been the last of the Hawaiian fleet.

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THE OLD RELIABLE



Sugar Cargoes Arrive.

The Examiner of April 3 says: The favorable winds of the past week have been of material aid in driving sailing vessels to port, and this is particularly true in the case of the vessels of the island fleet. Today four of them reached port, three bringing large cargoes of sugar. The first to get in was the old bark Yosemite. She carried ballast in her hold and put in here for orders. The schooner Helene, with a brisk breeze filling her sails, also made an early morning entry. Her cargo consisted of 26,244 bags of sugar. The other two arrivals were the packets R. P. Rithet, with 31,948 bags of sugar and nine passengers, and the S. G. Wilder. The entire fleet report fair weather during most of the passage, although the Helene and the R. P. Rithet experienced spells of rough weather. On March 21st the former encountered a heavy southwest gale, which greatly hindered her progress, but no serious damage was sustained. During the tossing of the schooner, however, Walter Mukel, a cabin boy, was thrown against the bulwarks and suffered a broken knee cap. He was taken to the Marine Hospital to have his injuries attended on the vessel's arrival in port. The R. P. Rithet ran into a gale, blowing from the southeast, on March 20th, and her decks were filled to the rail by the angry waters, and her starboard bulwarks were damaged. Otherwise she came through with slight harm. For forty-eight hours, while the gale was at its height, the bark was forced to remain here.

The fourth to pass in was the barkentine S. G. Wilder. She brought 16,359 bags sugar, 300 cases of pineapples and three passengers. She came up in the smart time of fourteen days.

Marines for Midway.

The Government steamer Supply is to sail this afternoon for Midway Island and Guam, and will remain at the last named place permanently as a station ship. Twenty-five marines are to be carried to Midway Island, where they will act as a guard on the island, and the steamer also carries supplies for the lone island, where only a cable station exists. A surgeon for the cable company is also booked for Midway. The Supply is commanded by Lieutenant-Commander C. F. Pond, and the other officers include Ensign E. P. Svarz, executive and navigating officer; Ensign B. C. Allen, Passed Assistant Surgeon R. Bachmann, Boatwains Shaw and Garvey, Warrant Machinist Brice and Pay Clerk Peck—Chronicle, April 11.

For South Sea Work.

The missionary steamer Morning Star, formerly engaged in work among the South Sea Islands, and now a whaling vessel, running out of this port, is to have a successor in the missionary field. The wooden steamer Sunbeam has been purchased at Boston by the American Board of Foreign Missions and is to be fitted up for the South Sea work, with this city as her home port. The Sunbeam has a net register of 403 tons, and is 140 feet long, with a breadth of 35 feet and depth of 10 feet. She was built in 1900 on the Eastern coast—Chronicle.

The barkentine S. G. Wilder sailed from San Francisco for Honolulu on April 14.

The U. S. S. Supply will shortly call here from San Francisco en route to Guam and Manila.

NURSING MOTHERS

"A richer milk than milk" is good food for nursing mothers. Scott's Emulsion is the rich cream of cod liver oil, and contains ten times as much cream as milk does.

The nursing mother must eat with the purpose of producing good, nourishing milk for her baby. A little Scott's Emulsion is often a very wise addition to her daily diet. If through nervousness or weakness her milk is a failure, Scott's Emulsion will help make it a success.

The baby gets the benefit, too, when the mother takes Scott's Emulsion. The same remedy brings new strength and nourishment to both.

Scott's Emulsion is sold in all drug stores.

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WEST INDIA SUGAR BUSINESS IS STILL IN A BAD WAY

The Brussels Convention Has Not Helped and the Sugar Plantations Are Being Abandoned.

G. D. Gilman, of Boston, has been spending the winter in Jamaica, and, as usual has kept his eyes open for anything of interest to Hawaii. He has sent the Advertiser a number of clippings from the Jamaica newspapers, relating to the sugar industry. The industry has been in a demoralized state for some years. The high duty imposed by the United States leaves little or no profit on sugar sold there while the high export bounties heretofore paid by European countries has enabled them to export at cost and even less, and compete destructively with the West Indies in the free market of England.

THE BRUSSELS CONVENTION.

Two years ago the beet sugar producing countries of Europe, with the exception of Russia, joined in the "Brussels Convention," by which they agreed to discontinue paying bounties.

This convention went into effect last September. It was expected that the effect of this convention would be to lower the price of sugar in the bounty paying countries, and raise it in England. The lowering of the price on continental Europe was expected to decrease the output, as many sections of Europe cannot produce beets at a profit without a supporting bounty. It was also expected that a secondary effect would be an increase of consumption, as the peasants who could not buy sugar at 9c. a lb. could afford to do so at 5c. a lb.

The expected results have been partially realized. The estimated European output of beet sugar for this year is several hundred thousand tons less than last year; the retail price of sugar has dropped in Germany from approximately 9c. to 5c. a lb. and the consumption has largely increased. The other principal expectation—that the price of raw sugar in England would rise—has not, as yet, taken place.

The effect of the convention upon sugar raised in the British West Indies, has not, therefore, been marked by any improvement.

PARLIAMENTARY DEBATE ON THE CONVENTION.

The Jamaica Daily Telegraph comments somewhat sarcastically upon a recent speech by the Duke of Marlborough, under Secretary of State for the Colonies, wherein he stated that: "Since the sugar convention has come into operation more sugar has come from the West Indies into England, from last September to the present time, than during the same months of any previous year."

This statement is compared with late debates in the British Parliament in which the statement was made by one member that "the Convention has failed to confer the anticipated benefits on the West Indies . . . that so far from rehabilitating the trade of the West Indies, the convention has had the contrary effect." During the debate Mr. Winston Churchill stated that "the importation of sugar from the West Indies during the period covered by the convention had fallen off in value and tonnage; that in fact there had been a collapse in the West Indian trade." The Telegraph indulges in the reflection that the newspaper is not the only one who knows things which are not so.

THE REAL SITUATION IN JAMAICA.

Regardless of the theorists in London the Telegraph states that: "Several sugar estates in the Trelawny district are about to be shut down. It shows that, up to the present, the abolition of the continental bounty system has done the sugar industry of Jamaica absolutely no good; and it also shows that, in the opinion of some people who are well qualified to judge on such a matter, the Brussels convention is not calculated to do the local sugar industry any good whatsoever. If the proprietors of the estates which are to be abandoned, really believed in the future of the sugar trade, they would clearly continue the struggle against misfortune, which they have been waging for so many years; and their decision to shut down and perhaps to go in for banana cultivation—conclusively proves that they have lost all hope—that, in their opinion, sugar is bound to go to the wall, despite the abolition of the continental bounties.

BANANAS DO NOT TAKE PLACE OF SUGAR.

We are sorry to have to write in this way. Banana cultivation may be all very good. It certainly has proved a boon and a blessing to the landowners of this island. But it will never take the place of cane cultivation, or be to the mass of the population what the sugar industry was. As everybody knows, a sugar estate employed more laborers and more artisans than a banana plantation of the same size does. And the benefit of the sugar industry to the colony did not end there; for it acted as a powerful stimulus to the cattle breeding industry; which banana cultivation certainly is not. If, in addition to these considerations, it is remembered that bananas are an infinitely more precarious crop than cane—that a hurricane would pass over sugar estates and do little or no damage—one can realize the immensity of the loss which Jamaica will sustain if the sugar industry is given up altogether."

KAIWI MUST EXPLAIN DISAPPEARANCE OF GOLD COIN

Unable to account for the disappearance of a bag of gold coins containing \$1,000, belonging to the estate of Frederick Kaiwi, an old Hawaiian, was yesterday afternoon ordered into the custody of the High Sheriff or Judge Robinson.

An examination was being made by the estate of Kaiwi, a Hawaiian woman, who died in February. Her home was on Vineyard street, where Kaiwi also lived.

It developed during the hearing that after the death of the deceased a bag of gold coins had been seen in a trunk, belonging to Kaiwi. The money is supposed to have been Kaiwi's and it appeared that the estate of the deceased had been in the hands of Kaiwi.

According to a local report, the search of the trunk was made by Kaiwi. This was said to be the first time that Kaiwi had been seen since the death of the deceased.

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ASK HELP FOR SHIPS

Builders and Traders Assist Merchant Marine.

At the meeting of the Builders and Traders last evening a communication from the Chamber of Commerce of New York, asking for assistance from Hawaii in securing a Congressional Commission to investigate the Merchant Marine was read. Upon motion of Mr. L. E. Pinkham the following resolutions were unanimously adopted:

Whereas, For years the Hawaiian Islands have been visited by an enormous tonnage under the flags of various nations.

Whereas, It is a locally well known fact American seamen are paid larger wages, are recipients of better rations and are given better quarters than those of other nations with scarce an exception.

Whereas, It is our opinion from facts and observation that the American Marine is handicapped by subsidies, standards of living and general superior construction of the rights of seamen.

Resolved, That we endorse the movement of the New York Board of Trade and Transportation to secure Congressional Investigation of the State of and measures necessary to revive and develop the American Marine.

Resolved, that a copy of these Resolutions be forwarded to Aaron Vanderbilt, chairman, and other copies be forwarded to the Hawaiian Delegate to Congress, the Hon. J. K. Kanihinao.

Whereas, an expression of the opinion of the Builders and Traders' Exchange on the subject of the means necessary to develop the American Merchant Marine and the providing by Congress of a National Commission to investigate the subject has been requested by the New York Board of Trade and Transportation.

Whereas, Honolulu and other ports of the Hawaiian Islands, said islands having a population of only 150,000 souls, ship annually in American bottoms some 450,000 tons of sugar and other additional tonnage, which tonnage is becoming scarce and difficult to obtain.

Whereas, The vessels of other nations particularly those of France under the system of subsidies in force by the laws of that country are enabled to and frequently do enter the ports of the Hawaiian Islands at a profit to themselves, although obliged to leave the islands in ballast, thereby shutting out American tonnage, and illustrating thereby the disadvantages under which American bottoms labor.

THE EXCRUCIATING PAIN from corns, bunions, or chilblains may be avoided by a free application of Chamberlain's Pain Balm. For sale by all Dealers and Druggists. Benson, Smith & Co., Ltd., Agents for Hawaii.

Captain Niblack, U. S. N., Assistant Lighthouse Inspector, is expecting a large amount of lighthouse supplies, which will include new lights. The U. S. S. Supply will probably bring the stuff here.

For the Skin

You cannot have a clear and smooth skin unless the blood is pure. Blotches, eruptions, rashes, pimples, all show how impure the blood must be. Get all impurities out of your blood before you are seriously ill.



Miss Dorothy Maher, of Fitzroy, Victoria, sends her photograph and this letter:

"I had a terrible eruption on my face, which was of a very irritating nature. I tried many blood medicines, but without relief. Friends told me to try Ayer's Sarsaparilla, as it was a most famous blood remedy. I did so, and after taking only two bottles I began to see a great change. By the time the third bottle was used the eruption had entirely disappeared, and without leaving a mark on my face. I am perfectly well now, and I owe it all to this great blood-purifying remedy."

These are many imitations of Ayer's Sarsaparilla. Be sure you get Ayer's.

Correct any tendency to constipation with Ayer's Pile. They are easily coated, may be taken with or without food. A family laxative.

Prepared by Dr. J. C. Ayer & Co., Lowell, Mass., U. S. A.

FORECLOSURES

NOTICE OF INTENTION TO FORECLOSE AND OF SALE OF REAL ESTATE.

IN accordance with the provisions of the Act in that behalf made, the following real estate is hereby offered for sale at public auction.

1. A certain lot of land situated in the City of Honolulu, containing an area of 1.5 acres, more or less, and bounded by the City of Honolulu on the north, the City of Honolulu on the south, the City of Honolulu on the east, and the City of Honolulu on the west.

2. A certain lot of land situated in the City of Honolulu, containing an area of 1.5 acres, more or less, and bounded by the City of Honolulu on the north, the City of Honolulu on the south, the City of Honolulu on the east, and the City of Honolulu on the west.

3. A certain lot of land situated in the City of Honolulu, containing an area of 1.5 acres, more or less, and bounded by the City of Honolulu on the north, the City of Honolulu on the south, the City of Honolulu on the east, and the City of Honolulu on the west.

306, now held by the Western & Hawaiian Investment Co., Ltd., as assignee, notice is hereby given that the mortgagee intends to foreclose the same for condition broken, to-wit: non-payment of loan interest and principal. Notice is likewise given that after the expiration of three weeks from the date of this notice, the property covered by said mortgage will be advertised by posting for sale at public auction, at the auction rooms of James F. Morgan, in Honolulu, on Saturday, the 14th day of May, 1904, at 12 noon of said day. Further particulars can be had of Castle & Withington, attorneys for mortgagee.

Dated Honolulu, April 12th, 1904.

WESTERN & HAWAIIAN INVESTMENT CO., LTD.

Mortgagee.

The premises covered by said mortgage consist of two lots in Kamakela, in Honolulu, Oahu, described in said mortgage as Lots 5 and 6 upon a map of a sub-division of Apana 1 of Royal Patent 1985 on L. C. Award 6245 to Kalaokokei, said lots have a joint front of 90 feet and a depth of 73.3 feet one side and of 70.7 feet on the other. Also the buildings on said premises standing, the whole making an unusually fine piece of property.

2581—Apr. 15, 22, 29 May 6, 13.

KAHAKUMAKA HALUALANI.

Under and by virtue of the power of sale contained in that certain mortgage, dated April 16, 1902, made by and between Laura Kahakumaka Halualani (a widow), of Kalauna, District of Ewa, Island of Oahu, Territory of Hawaii, mortgagor, to Claus Spreckels, of San Francisco, State of California, and William G. Irwin, of Honolulu, Island of Oahu aforesaid, doing business in Honolulu as copartners under the firm name of Claus Spreckels & Company, mortgagees, and of record in the Hawaiian Registry of Conveyances in Liber 236 on pages 221-224 and pursuant to Chapter XXXIII of the Session Laws of 1874, entitled "An Act to provide for the sale of mortgaged property without Suit and Decree of Sale" and the Act (Chapter IX of the Session Laws of 1890) amending same, the said mortgagees hereby give notice that they intend to foreclose the said mortgage for condition broken, to-wit: the non-payment of the principal and interest of a certain promissory note referred to in and secured by said mortgage, when due.

Notice is hereby likewise given that the property conveyed by the said mortgage will be sold at public auction at the auction rooms of James F. Morgan, Kaahumanu street, Honolulu, on Saturday, the 14th day of May, 1904, at 12 o'clock noon.

The property conveyed by the said mortgage consists of: All those certain pieces of land situated in Kalauna, District of Ewa, Island of Oahu, Territory of Hawaii, described as follows, to-wit:

(1) Land at Kalauna described in Land Commission Award No. 6104 on which Royal Patent No. 747 was issued to Mahiai. Area, 2 26-1000 acres.

(2) Two lots at Kalauna described in Land Commission Award No. 9400 on which Royal Patent No. 449 was issued to Hilo for Kaolo. Area, 1 545-1000 acres.

(3) Land at Waimalu described in Land Commission Award No. 9316 on which Royal Patent No. 3704 was issued to Malika. Area, 672-1000 of an acre.

(4) Two lots at Waimalu described in Land Commission Award No. 9315 on which Royal Patent No. 866 was issued to Haki: Apana No. 1, area, 1 426-1000 acres; Apana No. 2, area, 142-1000 of an acre. Total area, 1 568-1000 acres.

(5) That lot of land at Waimalu, described in Land Commission Award No. 9325 on which Royal Patent No. 7100 was issued to Kamalia. Area, 653-1000 of an acre.

(6) Two lots of land at Panuku, Halawa, described in Land Commission Award No. 2057, on which Royal Patent No. 456 was issued to Keawe I: Apana No. 1, area, 315-1000 of an acre; Apana No. 2, area, 154-1000 of an acre. Total area, 469-1000 of an acre.

Also all of interest in

(7) Those three pieces of land in Halawa, described in Land Commission Award No. 2044, issued to Kaupali: Apana No. 1, area, 386-1000 of an acre; Apana No. 2, area, 508-1000 of an acre; Apana No. 3, area, 144-1000 of an acre. Total area, 1,038 acres. Together with all buildings, improvements, rights, privileges, easements and appurtenances to the same belonging or appertaining.

Said lands are encumbered as follows: (1) A portion of Land Commission Award No. 6104 leased to Sung Wo Sing Company by lease dated July 24th, 1895, for a term of twenty years from August 1st, 1895, at an annual rental of twenty dollars, and a portion of the land is leased to Ahin under lease dated March 10, 1895, and recorded in Book No. 156, page 423, for a term of twenty years from September 1st, 1895, at an annual rental of eighty dollars; seven years being paid in advance.

(2) The above lands under Land Commission Award No. 9400 are included in the same leases above named.

(3) Land described in Land Commission Award No. 9316 is leased to Young Fong under lease dated October 25th, 1899, recorded in Book No. 187, page 386, for a term of fifteen years from November 1st, 1899, at an annual rental of one hundred and eighty dollars.

(4) Lots described in Land Commission Award No. 9315 are included in the said lease above named.

(5) Lots described in Land Commission Award No. 9325 are included in the said lease.

(6) Lots included in Land Commission Award No. 2057 are leased to the Honolulu Sugar Company under lease dated November 3, 1895, recorded in Book No. 184, page 416, for a term of fifteen years from date at an annual rental of thirty dollars.

The portion of the land mentioned in paragraph No. 1 and 2 above leased to Ahin is now assigned to the Honolulu Fruit Company, limited.

CLAUDE S. HARRIS & CO.,

Attorneys for Mortgagees.

Notice is hereby given that the property covered by said mortgage will be sold at public auction at the auction rooms of James F. Morgan, Kaahumanu street, Honolulu, on Saturday, the 14th day of May, 1904, at 12 o'clock noon.

2581—Apr. 15, 22, 29 May 6, 13.

WESTERN & HAWAIIAN INVESTMENT CO., LTD.

Mortgagee.